CITY OF LANGLEY DRAFT COUNCIL AGENDA

****Tuesday, January 22, 2019 5:30 PM**

1. **CALL TO ORDER**
   a. Flag Salute
   b. Roll Call
2. **APPROVAL OF AGENDA**
3. **CONSENT AGENDA (See below)**
   a. Approval of council meeting minutes of 1-7-19.....1-3
   b. Approval of claims warrants Nos.38008-38043 and EFTs in the amount of $141,289.72 4-17
   c. Approval of payroll warrants Nos. 37921-37967 and direct deposit run (12/16/18) in the amount of $38,573.9 and Nos. 37976-37985 and direct deposit run, (12/31/18) in the amount of $86,566.32.....18-19
   d. Liquor licenses renewals.....20
      Braeburn Eats
      The Inn at Langley
      The Star Store
      Portico Latin Bistro
4. **RECOGNITION/APPRECIATION**
5. **COMMISSION AND BOARD REPORTS/PRESENTATIONS**
   a. Langley Arts fund - status report on the effort by LAF to install a bronze Wishing Whale in Whale Bell Park on First Street
6. **CITIZEN COMMENTS ***
7. **PUBLIC HEARING – Renewal on moratorium on short term rentals**
8. **UNFINISHED BUSINESS**
   a. Adopting Ordinance 1052 Renewing moratorium on short term rentals – Adoption 21-30
   b. First Street Complete Street Project Approval 31-42
   c. Second reading on the Housing Ordinance 1051-adoption.....43-90
   d. Growler research and proposed letter of support.....91-97
9. **STAFF REPORTS**
   a. Community Planning
   b. Public Works
   c. Police
   d. Finance
10. **MAYOR'S REPORT**
11. **NEW BUSINESS**
    a. Housing Survey Presentation – Jill Needham 98-111
12. **COUNCIL REPORTS**
13. **DISCUSSION ITEMS**
14. **ADJOURNMENT**

***Citizen Comments:** We welcome comments on subjects of concern or interest that are not on the agenda. Please state your name and address so this can be recorded, and limit your comments to 5 minutes. Questions will be answered immediately if the answer is brief, and the information is available. Otherwise, answers will be provided as soon as possible. Thank you for participating! **If reasonable accommodation of a disability is needed please contact Debbie Mahler at (360) 221-4246 at least 48 hours prior to this meeting.**

Statement regarding Potential Conflicts of Interest - Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially. If a conflict, or potential conflict exists, the affected party shall declare so at the first public meeting when the matter is being considered. And shall withdraw from the meeting or future meetings for the duration of the discussion of the issue.

Council Meeting Minutes
January 7, 2019

Mayor Callison called the meeting to order at 5:30 PM. Present were City Council Members, Christy Korrow, Ursula Shoudy, Bruce Allen, Dominique Emerson and Peter Morton. Also present were Brigid Reynolds, Planning Director; Stan Berryman, Public Works Director; Don Lauer, Acting Police Chief; and Debbie Mahler, Finance Director/Clerk. Mayor Callison led the flag salute.

MOTION: To approve the agenda as amended. Mayor's staff report on utility infrastructure improvement was added and the adoption of the moratorium renewal was removed from the agenda. Add scheduling on next ALERT meeting. Motion – Emerson, 2nd – Shoudy. Motion carried.

MOTION: To approve the consent agenda. Motion - Allen, 2nd - Emerson. Motion passed.

CONSENT AGENDA

Approval of council meeting minutes of 12-17-18
Approval of claims warrants Nos. 37986-38004, 37968, 37970-37975 and EFT's in the amount of $42,319.72

COMMISSION AND BOARD REPORTS

George Henny of Whidbey Telecom gave a presentation on the historic 1913 Whidbey Telephone Company building that will be moved on to Second Street at Anthes and made into a museum. It will be right next door to the Historical Museum.

Langley Library Report – Vicky Welfare, Librarian thanked the City for the generator in the library building that was able to become a warming center during the recent power outage. Geri Pilcher staff member has moved to Clinton, Jeramiah Donier will take her place. New resources on the Sno-Isle website. A Humanities Washington program, *Let it Not Happen Again*, explores the story of the Japanese internment on January 15th at 6:30 pm. On the 26th Amy Pelof explores the cultural and economic issues inherent in consuming entertainment that is made by people whose behaviors are questionable, distasteful or criminal called *Should I still Watch This Show*. Reading with Rover program to help children struggling to read every other Wednesday evening. The kids read to a canine listener.

CITIZEN COMMENTS

Dianna MacLeod Sound Defense Alliance opposes plan of Navy to increase the Growler program. They want no new jets, no new noise. She stated that the jet noise effects tourism, and will cripple businesses such as whale watching, boating, inns, and restaurants and many other businesses. There is a risk of accidents, the lowering of property values and may affect property zoning. Also, effects recreation, wildlife, farming and housing. Vicki Robbin, author of book about agriculture on Whidbey Island was also present as a member of Sound Defense Alliance. She pointed out that the Navy does not pay property tax and no sales tax is collected at the Navy Commissary, and the increase in jets brings an increase of

people who need housing and county/city services. Some water wells around Coupeville are tainted by chemicals used by Navy. The Island is a sole source aquafer and this could affect the entire Island.

Nancy Nordoff asked the Council to consider passing a resolution opposing the four-fold increase in the Navy Growlers. The OLF field was built in 1943 for landing practice during WWII. There has been no increase in use since that time. This is the only Growler practice area in the State with impacts to schools, kids and roads. Coyla Shepard asked how many military people would say it is smart to put your fastest, most expensive all fleet in one location in the Country.

Christy Korrow stated that the Mayor of Coupeville did write to the Governor and other officials concerning the increase from 6,000 flights to 24,000 flights per year. One of the contaminated wells is a municipal well and they are having to deal with that. Peter Morton thinks we should do our due diligence and consider a strong resolution that will have an impact. Dominique Emerson stated that she would like Christy Korrow to reach out to the County Commissioners and do a study first. Mayor Callison has had communication with Coupeville's Mayor on this issue. Mayor Callison stated that letters from Council members to the Governor, Secretary of the Navy, congressional reps, etc. have more impact.

MOTION: To have Christy Korrow and Peter Morton research the subject and report back to Council at the next meeting. Motion – Emerson, 2nd – Shoudy. Motion carried.

Jake Obrien, a resident of Freeland, said that he is interested in community gardening and wants to meet with anyone interested.

MAYOR'S REPORT

Mayor Callison reported that it was a very quiet two weeks at City Hall for the holidays. He did visit Fairhaven (Bellingham) and noted that it was nothing like Langley for the holidays. On the fifth of January the Langley Main Street sea float Scramble took place with over 1,200 attending. 1180 zip codes were tallied with 28.5% being from off island.

UNFINISHED BUSINESS

MOTION: To bring to a first reading, Ordinance No. 1051 re: housing code amendments. Motion - Korrow, 2nd - Allen. Motion carried with all in favor.

ALERT zone leader meeting will be set at the committee meeting to discuss lessons learned on the morning of January 15th. 9-11 am.

NEW BUSINESS

Staff report on utility infrastructure improvements. Mayor Callison is investigating numerous funding sources for grants and long term, low interest loans. He asked permission of Council to apply for some of these funding sources.

MOTION: To authorize the Mayor to make applications for funding for infrastructure improvements. Motion – Morton, 2nd – Emerson. Motion carried with all in favor.

COUNCIL REPORTS

Christy Korrow reported that the Homeless Point in Time count is coming up on January 24th and more volunteers are needed. Christy will put up flyers about it. The Way of Whales workshop is January 26th in Coupeville. She has a meeting set with the Community Coalition on drug abuse to see how she can help and Christy is going to Olympia to lobby for funding for treatment.

Dominique Emerson reported that she attended the County Tourism meeting on January 3rd; they are spending money on promoting the Cascade loop, and Langley can join. Dominique asked for a report on arsenic in our water. Ursula Shoudy said that the power outage was an educational event for the ALERT team. People approached Ursula and told her how great the Island officers were during the outage. They had over 100 people in the Rod and Gun building during the outage because they have a generator. It was stressful with only 2 people working, but members were volunteering to serve coffee and other duties. Some stores in Langley remained open without power.

Bruce Allen has agreed to serve another term on the Island Transit Board. The HUB attendance is increasing and they now have three cooks. Peter Morton reported that the Langley Arts Fund has met and is working on the idea of a sculpture of a wishing whale and Georgia Gerber has done a mock up of it. Peter is also still doing climate change work – He and Stan hosted a meeting here about best environmental lighting, and will be on a citizens committee when formed.

The meeting was adjourned at 7 PM.

Respectfully submitted,

Debbie L. Mahler

Debbie L Mahler, Finance Director/Clerk

Voucher Directory

Fiscal: : 2019 - January, 2018 - December
Council Date: : 2019 - January - January 2nd meeting, 2018 - December - December open 1-20-19

(7)

Vendor	Number	Reference	Account Number	Description	Amount
Airgas USA LLC					
	0		**2019 - January - January 2nd meeting**		
		Inv. 9958942593			
			Payer# 2345937		
			402-000-000-535-80-31-00	Supplies	$14.95
			Chlorine cylinders (5)		
		Total Inv. 9958942593			**$14.95**
	Total 0				**$14.95**
Total Airgas USA LLC					**$14.95**
Allen, Bruce					
	0		**2019 - January - January 2nd meeting**		
		Inv. Jan. 2019 Council - Allen			
			Jan. 2019 Council		
			001-000-000-511-60-10-00	Council Services	$50.00
			Jan. 2019 Council - Allen		
		Total Inv. Jan. 2019 Council - Allen			**$50.00**
	Total 0				**$50.00**
Total Allen, Bruce					**$50.00**
AT&T Mobility					
	0		**2019 - January - January 2nd meeting**		
		Inv. 287253933793			
			FAN287253933793X01082019		
			101-000-000-543-50-47-00	Utilities-Streets (incl Phone)	$85.78
			AT&T		
			401-000-000-534-80-47-00	Utilities-Water Dept.	$85.78
			AT&T		
			402-000-000-535-80-47-00	Utilities-Sewer Dept.	$85.78
			AT&T		
			403-000-000-531-30-38-00	Utilities	$85.78
			AT&T		
		Total Inv. 287253933793			**$343.12**
	Total 0				**$343.12**
Total AT&T Mobility					**$343.12**

Vendor	Number	Reference	Account Number	Description	Amount
AWC RMSA					
	0		**2019 - January - January 2nd meeting**		
		Inv. 67482			
			Cust ID# 281		
			001-000-050-518-30-46-00	Property Insurance	$32,940.00
			RMSA Group Membership 2019		
			001-000-050-518-90-46-00	Liability Insurance	$83,988.00
			RMSA Group Membership 2019		
		Total Inv. 67482			**$116,928.00**
	Total 0				**$116,928.00**
Total AWC RMSA					**$116,928.00**
Baldwin, Darlene					
	0		**2019 - January - January 2nd meeting**		
		Inv. 1/16/19 FSA req.			
			634-000-000-586-17-00-00	Employee Reimbursement	$554.51
			Baldwiin FSA reimb. 01/16/2019		
		Total Inv. 1/16/19 FSA req.			**$554.51**
	Total 0				**$554.51**
Total Baldwin, Darlene					**$554.51**
CITY OF LANGLEY					
	0		**2019 - January - January 2nd meeting**		
		Inv. 1/10/2019			
			001-000-050-518-50-47-00	Utilities-General Government	$1,031.96
			Water/sewer		
			104-000-030-536-50-47-00	Utilities-Cemetery	$144.34
			Water/sewer		
			105-000-000-557-30-47-00	Utilities/VIC & R/R	$545.93
			Water/sewer		
			401-000-000-534-80-47-00	Utilities-Water Dept.	$540.68
			Water/sewer		
			402-000-000-535-80-47-00	Utilities-Sewer Dept.	$704.34
			Water/sewer		
		Total Inv. 1/10/2019			**$2,967.25**
	Total 0				**$2,967.25**
Total CITY OF LANGLEY					**$2,967.25**
CNA Surety					
	0		**2019 - January - January 2nd meeting**		
		Inv. 1/4/2019			
			Bond# 72111965N		
			001-000-030-514-20-49-00	Miscellaneous	$50.00

(5)

Vendor	Number	Reference	Account Number	Description	Amount
				Notary Public bond - D. Baldwin	
		Total Inv. 1/4/2019			**$50.00**
	Total 0				**$50.00**
Total CNA Surety					**$50.00**
Code Publishing Inc.					
	0			**2018 - December - December open 1-22-19**	
		Inv. 61629			
			Project#344609		
			001-000-000-511-30-31-00	Codification expenses	$1,992.14
				86 pgs code updated	
		Total Inv. 61629			**$1,992.14**
	Total 0				**$1,992.14**
Total Code Publishing Inc.					**$1,992.14**
Correct Equipment, Inc.					
	0			**2019 - January - January 2nd meeting**	
		Inv. 38582			
			Service Call 12-26		
			402-000-000-535-50-48-00	Repairs & Maintenance	$397.66
				Sensor corrosion cleaning	
		Total Inv. 38582			**$397.66**
		Inv. 38651			
			401-000-000-534-80-31-00	Parts, Chemicals & Supplies	$971.86
				Accu-Tab Pails (6)	
		Total Inv. 38651			**$971.86**
	Total 0				**$1,369.52**
Total Correct Equipment, Inc.					**$1,369.52**
Edge Analytical Labs					
	0			**2019 - January - January 2nd meeting**	
		Inv. 18-46208			
			Client# LAN01 Project Qtrly BS		
			402-000-000-535-60-48-00	Sewer Plant Testing	$313.00
				Quarterly biosolids tests (7)	
		Total Inv. 18-46208			**$313.00**
		Inv. 18-46356			
			Client# LAN01 Project 1802		
			402-000-000-535-60-48-00	Sewer Plant Testing	$393.00
				Biosolid Compost tests (8)	
		Total Inv. 18-46356			**$393.00**

Vendor	Number	Reference	Account Number	Description	Amount
		Inv. 18-47540			
			Client# LAN01 Project Surface Water		
			401-000-000-534-90-47-00	SDWA Testing	$210.00
				Surface Water Fecal Coliform Tests (6)	
		Total Inv. 18-47540			**$210.00**
	Total 0				**$916.00**
Total Edge Analytical Labs					**$916.00**
Emerson, Dominique					
	0			**2019 - January - January 2nd meeting**	
		Inv. Jan. 2019 Council - Emerson			
			Jan. 2019 Council		
			001-000-000-511-60-10-00	Council Services	$50.00
				Jan. 2019 Council - Emerson	
		Total Inv. Jan. 2019 Council - Emerson			**$50.00**
	Total 0				**$50.00**
Total Emerson, Dominique					**$50.00**
Grainger					
	0			**2019 - January - January 2nd meeting**	
		Inv. 9050553099			
			Acct#824685564		
			401-000-000-534-80-31-00	Parts, Chemicals & Supplies	$95.81
				Hydrant parts repair kit (1)	
		Total Inv. 9050553099			**$95.81**
	Total 0				**$95.81**
Total Grainger					**$95.81**
I-Com					
	0			**2019 - January - January 2nd meeting**	
		Inv. Q1 2019-04			
			001-000-095-528-60-42-03	Dispatch Services/icom	$5,694.42
				1st Qtr User Fees 2019	
		Total Inv. Q1 2019-04			**$5,694.42**
	Total 0				**$5,694.42**
Total I-Com					**$5,694.42**
Island Auto Supply					
	0			**2019 - January - January 2nd meeting**	
		Inv. 587756			
			Cust#360		
			101-000-000-544-90-32-00	Fuel & Maintenance	$21.00

Vendor	Number	Reference	Account Number	Description	Amount
				Headlight bulb - 2003 Silverado	
		Total Inv. 587756			$21.00
	Total 0				$21.00
Total Island Auto Supply					$21.00
Island County Treasurer c/o Prosecutor					
	0			2019 - January - January 2nd meeting	
		Inv. Dec 2018 CVCF			
			December 2018 court receipts		
			633-000-000-586-12-00-03	Co. Crime Victims/Court	$8.18
				Dec. 2018 court fees	
		Total Inv. Dec 2018 CVCF			$8.18
	Total 0				$8.18
Total Island County Treasurer c/o Prosecutor					$8.18
Island Disposal Inc					
	0			2019 - January - January 2nd meeting	
		Inv. 5483313			
			Acct#2144-134864		
			001-000-050-518-50-47-00	Utilities-General Government	$100.81
				Island Disposal	
			001-000-150-576-80-47-00	Parks-Utilities/waste Disposal	$655.28
				Island Disposal	
			101-000-000-543-50-47-00	Utilities-Streets (incl Phone)	$50.41
				Island Disposal	
			401-000-000-534-80-47-00	Utilities-Water Dept.	$100.81
				Island Disposal	
			402-000-000-535-80-47-00	Utilities-Sewer Dept.	$100.81
				Island Disposal	
		Total Inv. 5483313			$1,008.12
	Total 0				$1,008.12
Total Island Disposal Inc					$1,008.12

Vendor	Number	Reference	Account Number	Description	Amount
Kenyon Disend PLLC					
	0		**2018 - December - December open 1-22-19**		
		Inv. 188038			
			Acct# 297-00000M		
			001-000-040-515-41-00-00	Attorney - Civil/admin	$1,203.00
			Dec. 2018 legal counsel		
		Total Inv. 188038			**$1,203.00**
	Total 0				**$1,203.00**
Total Kenyon Disend PLLC					**$1,203.00**
Korrow, Christy					
	0		**2019 - January - January 2nd meeting**		
		Inv. Jan. 2019 Council - Korrow			
			Jan. 2019 Council		
			001-000-000-511-60-10-00	Council Services	$50.00
			Jan. 2019 Council - Korrow		
		Total Inv. Jan. 2019 Council - Korrow			**$50.00**
	Total 0				**$50.00**
Total Korrow, Christy					**$50.00**
Morton, Peter					
	0		**2019 - January - January 2nd meeting**		
		Inv. Jan. 2019 Council - Morton			
			Jan. 2019 Council		
			001-000-000-511-60-10-00	Council Services	$50.00
			Jan. 2019 Council - Morton		
		Total Inv. Jan. 2019 Council - Morton			**$50.00**
	Total 0				**$50.00**
Total Morton, Peter					**$50.00**
North West Instrument Services					
	0		**2019 - January - January 2nd meeting**		
		Inv. 13816			
			Wastewater lab		
			402-000-000-535-80-31-00	Supplies	$130.53
			Instrument maintenance service call		
		Total Inv. 13816			**$130.53**
	Total 0				**$130.53**
Total North West Instrument Services					**$130.53**
Puget Sound Energy					
	0		**2019 - January - January 2nd meeting**		
		Inv. Dec. Streetlights			
			Acct -8593		
			101-000-000-542-63-47-00	Street Lighting	$1,159.39

Vendor	Number	Reference	Account Number	Description	Amount
			PSE		
		Total Inv. Dec. Streetlights			**$1,159.39**
	Total 0				**$1,159.39**
Total Puget Sound Energy					**$1,159.39**
Quill Corporation					
	0		**2019 - January - January 2nd meeting**		
		Inv. 3780191			
			Acct# C3015631		
			001-000-050-518-50-34-00	Office Supplies/r&m	$43.47
			Electric kettle		
		Total Inv. 3780191			**$43.47**
		Inv. 3797793			
			Acct# C3015631		
			001-000-050-518-50-34-00	Office Supplies/r&m	$151.06
			Paper carton (1) and Sharpies		
		Total Inv. 3797793			**$151.06**
	Total 0				**$194.53**
Total Quill Corporation					**$194.53**
Reserve Account					
	0		**2019 - January - January 2nd meeting**		
		Inv. 01/10/2019 postage			
			Reserve acct# 21131313		
			001-000-050-518-50-42-00	Postage/ups (+box Rental)	$400.00
			Postage machine account		
		Total Inv. 01/10/2019 postage			**$400.00**
	Total 0				**$400.00**
Total Reserve Account					**$400.00**
Sebo's DO IT Center					
	0		**2018 - December - December open 1-22-19**		
		Inv. A994962			
			Acct#C2000		
			001-000-100-518-20-40-00	City Facilities Maintenance	$7.69
			Sebo's-ext. cords		
		Total Inv. A994962			**$7.69**
		Inv. A995227			
			Acct#C2000		
			101-000-000-542-69-48-00	Traffic & Pedestrian Services	$27.16
			Sebo's: gas can		
		Total Inv. A995227			**$27.16**

Vendor	Number	Reference	Account Number	Description	Amount
		Inv. A995276			
			Acct#C2000		
			101-000-000-544-90-30-00	Supplies/Miscellaneous	$23.21
			Sebo's: Misc. hardware		
		Total Inv. A995276			**$23.21**
		Inv. A995367			
			Acct#C2000		
			105-000-000-557-30-48-00	Public Restrooms-R&M/Misc'l, Supplies.	$8.13
			VC restroom door repair		
		Total Inv. A995367			**$8.13**
		Inv. A995636			
			Acct#C2000		
			105-000-000-557-30-48-00	Public Restrooms-R&M/Misc'l, Supplies.	$13.79
			VC restroom door repair		
		Total Inv. A995636			**$13.79**
		Inv. A995880			
			Acct#C2000		
			105-000-000-557-30-48-00	Public Restrooms-R&M/Misc'l, Supplies.	$20.50
			VC restroom door repair		
		Total Inv. A995880			**$20.50**
		Inv. A996179			
			Acct#C2000		
			001-000-100-518-20-35-00	Facilities Maint. Supplies	$11.94
			Sebo's: cleaning supplies		
		Total Inv. A996179			**$11.94**
		Inv. A997170			
			Acct#C2000		
			001-000-100-518-20-35-00	Facilities Maint. Supplies	$29.34
			City Hall light ballast		
		Total Inv. A997170			**$29.34**
		Inv. A997412			
			Acct#C2000		
			001-000-150-576-80-47-01	Open Space - Maintenance	$18.47
			CFL Bulbs		
		Total Inv. A997412			**$18.47**
		Inv. A997548			
			Acct#C2000		
			101-000-000-542-69-48-00	Traffic & Pedestrian Services	$26.17
			Road shop tools		
		Total Inv. A997548			**$26.17**
		Inv. A997785			
			Acct#C2000		
			001-000-105-558-70-41-00	Economic development activities	$38.20
			VC restroom door repair		
		Total Inv. A997785			**$38.20**

Vendor	Number	Reference	Account Number	Description	Amount
		Inv. A998312			
			Acct#C2000		
			001-000-105-558-70-41-00	Economic development activities	$13.72
			Visitors Center repair supplies		
		Total Inv. A998312			**$13.72**
		Inv. A998428			
			Acct#C2000		
			101-000-000-544-90-30-00	Supplies/Miscellaneous	$36.72
			Misc. supplies		
		Total Inv. A998428			**$36.72**
		Inv. A999250			
			Acct#C2000		
			001-000-100-518-20-35-00	Facilities Maint. Supplies	$86.71
			City Hall CFLs & ballast		
		Total Inv. A999250			**$86.71**
		Inv. A999855			
			Acct#C2000		
			401-000-000-534-90-20-00	Uniforms	$94.54
			Workpants (3)		
		Total Inv. A999855			**$94.54**
		Inv. B921102			
			Acct#C2000		
			105-000-000-557-30-48-00	Public Restrooms-R&M/Misc'l, Supplies.	$15.21
			VC restroom door repair tool		
		Total Inv. B921102			**$15.21**
	Total 0				**$471.50**
Total Sebo's DO IT Center					**$471.50**
Shoudy, Ursula					
	0		**2019 - January - January 2nd meeting**		
		Inv. Jan. 2019 Council - Shoudy			
			Jan. 2019 Council		
			001-000-000-511-60-10-00	Council Services	$50.00
			Jan. 2019 Council - Shoudy		
		Total Inv. Jan. 2019 Council - Shoudy			**$50.00**
	Total 0				**$50.00**
Total Shoudy, Ursula					**$50.00**
Skagit Farmers					
	0		**2019 - January - January 2nd meeting**		
		Inv. 46-562160			
			Cust# 527670		
			401-000-000-534-90-20-00	Uniforms	$67.92

Vendor	Number	Reference	Account Number	Description	Amount
				Boots (1), hats (2)	
		Total Inv. 46-562160			**$67.92**
	Total 0				**$67.92**
Total Skagit Farmers					**$67.92**
Sound Publishing Inc					
	0			**2018 - December - December open 1-22-19**	
		Inv. WCW840423			
			Acct# 80119200		
			001-000-050-511-30-31-00	Publication/legals	$82.01
				1/22 Public Hearing Notice	
		Total Inv. WCW840423			**$82.01**
	Total 0				**$82.01**
Total Sound Publishing Inc					**$82.01**
South Whidbey Record					
	0			**2019 - January - January 2nd meeting**	
		Inv. 1/19/2019 exp.			
			Acct# SW-0000217481		
			001-000-050-518-50-34-02	Miscellaneous	$55.00
				SW Record subscription - 104 issues	
		Total Inv. 1/19/2019 exp.			**$55.00**
	Total 0				**$55.00**
Total South Whidbey Record					**$55.00**
State Treasurer					
	0			**2018 - December - December open 1-22-19**	
		Inv. December 2018 court remit			
			Dec. 2018 Municipal Court fees remit		
			633-000-000-586-12-00-00	Court Remittances/State	$425.09
				2018. Dec. Muni Court Fees	
			633-000-000-586-59-00-00	Bldg. Code Surcharge/State	$38.50
				2018. Dec. Muni Court Fees	
			633-000-000-586-97-00-00	JIS Account/Court	$42.77
				2018. Dec. Muni Court Fees	
		Total Inv. December 2018 court remit			**$506.36**
	Total 0				**$506.36**
Total State Treasurer					**$506.36**

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Vendor	Number	Reference	Account Number	Description	Amount
U.S. Bank N.A. - Custody					
	0		**2019 - January - January 2nd meeting**		
		Inv. 12/31/2018 fee			
			Cust #-x167		
			001-000-030-514-20-41-00	Credit fees	$24.00
			US Bank		
		Total Inv. 12/31/2018 fee			**$24.00**
	Total 0				**$24.00**
Total U.S. Bank N.A. - Custody					**$24.00**
United Business Machines					
	0		**2019 - January - January 2nd meeting**		
		Inv. INV389803			
			Contract# CT12676-02		
			001-000-050-518-90-50-34	Copier/printer Lease (inc R&m)	$367.56
			Usage fees		
		Total Inv. INV389803			**$367.56**
	Total 0				**$367.56**
Total United Business Machines					**$367.56**
USABlueBook					
	0		**2019 - January - January 2nd meeting**		
		Inv. 775034			
			Cust# 23018		
			402-000-000-535-80-31-00	Supplies	$319.48
			LMI pump head (1)		
		Total Inv. 775034			**$319.48**
	Total 0				**$319.48**
Total USABlueBook					**$319.48**
Utilities Underground					
	0		**2019 - January - January 2nd meeting**		
		Inv. 8120178			
			Acct# 270765		
			401-000-000-534-80-47-00	Utilities-Water Dept.	$9.24
			Dec. 2018 locates (6)		
		Total Inv. 8120178			**$9.24**
	Total 0				**$9.24**
Total Utilities Underground					**$9.24**
VISA					
	0		**2018 - December - December open 1-22-19**		
		Inv24040488334200443491313 Penn Daily			
			Berryman 3004		
			101-000-000-544-90-30-00	Supplies/Miscellaneous	$50.25

Vendor	Number	Reference	Account Number	Description	Amount
				Classifieds - Penninsula Daily News	
Total Inv2404048834200443491313 Penn Daily					**$50.25**
Inv2416405835537800707521 2 Exxon					
		Berryman 3004			
			101-000-000-544-90-32-00	Fuel & Maintenance	$31.68
				Naomi's	
Total Inv2416405835537800707521 2 Exxon					**$31.68**
Inv2443106833102651453882 7 Adobe					
		Reynolds 7429			
			001-000-110-558-60-34-00	Supplies	$25.96
				Adobe PDF software license	
Total Inv2443106833102651453882 7 Adobe					**$25.96**
Inv2443106833802671555384 2 GRCC					
		Berryman 3004			
			401-000-000-534-80-43-00	Training/Travel	$100.00
				Water cert class- B. Hamilton	
Total Inv2443106833802671555384 2 GRCC					**$100.00**
Inv2443106835302670285924 4 ECC					
		Berryman 3004			
			402-000-000-535-80-43-00	Training/Travel	$75.00
				Flagging/traffic control cert. T. Grove	
Total Inv2443106835302670285924 4 ECC					**$75.00**
Inv2444500833900116586744 7 USPS					
		Reynolds 7429			
			001-000-050-518-50-42-00	Postage/ups (+box Rental)	$6.70
				Code enforcement mailing	
Total Inv2444500833900116586744 7 USPS					**$6.70**
Inv2444500835300136889565 9 USPS					
		Reynolds 7429			
			001-000-050-518-50-42-00	Postage/ups (+box Rental)	$6.70
				Code enforcement mailing	
Total Inv2444500835300136889565 9 USPS					**$6.70**
Inv2444574834910027823508 5 Off. Depot					
		Berryman 3004			
			101-000-000-544-90-30-00	Supplies/Miscellaneous	$35.41
				Misc. office supplies	
Total Inv2444574834910027823508 5 Off. Depot					**$35.41**
Inv2449215833774018984369 7 Fine Bal.					
		Callison 5076			
			001-000-075-525-60-00-00	Emergency Preparedness	$130.44
				Emergency zone map printing	
Total Inv2449215833774018984369 7 Fine Bal.					**$130.44**

19

Inv244921583488946807362 36 WABO			
Reynolds 7429			
	001-000-050-518-50-34-01	Association Dues	$95.00
	WA Building Official Assoc. dues		
Total Inv244921583488946807362 36 WABO			**$95.00**
Inv246921683311006225702 79 MRSC			
Reynolds 7429			
	001-000-110-558-60-43-00	Training/travel	$35.00
	MRSC Land Use Case Law - B. Reynolds		
Total Inv246921683311006225702 79 MRSC			**$35.00**
Inv246921683391003908694 18 Amazon			
Callison 5076			
	001-000-075-525-60-00-00	Emergency Preparedness	$177.46
	Folders (375) - emergency plan collateral		
Total Inv246921683391003908694 18 Amazon			**$177.46**
Inv246921683481002234930 39 Amazon			
Callison 5076			
	001-000-075-525-60-00-00	Emergency Preparedness	$86.95
	Walkie-talkies		
Total Inv246921683481002234930 39 Amazon			**$86.95**
Inv246921684710050397415 4 Amazon			
Callison 5076			
	001-000-010-513-10-31-00	Office/operational Supplies	$8.03
	Mac cable		
Total Inv246921684710050397415 4 Amazon			**$8.03**
Inv247170583331633393395 70 GRCC			
Berryman 3004			
	401-000-000-534-80-43-00	Training/Travel	$42.00
	Water cert fee - R. Perry		
Total Inv247170583331633393395 70 GRCC			**$42.00**
Inv247170583562635645310 32 GRCC			
Berryman 3004			
	401-000-000-534-90-49-00	Miscellaneous	$42.00
	Water certification fee - ?		
Total Inv247170583562635645310 32 GRCC			**$42.00**
Inv247554283426434233335 11 Zoro			
Berryman 3004			
	001-000-105-558-70-41-00	Economic development activities	$409.30
	V.C. restroom door repair - RECD grant		
Total Inv247554283426434233335 11 Zoro			**$409.30**
Inv740644983348201695884 66 PIBC			
Reynolds 7429			
	001-000-050-518-50-34-01	Association Dues	$388.11
	Planning Institute of BC - Reynolds dues		
Total Inv740644983348201695884 66 PIBC			**$388.11**

Vendor	Number	Reference	Account Number	Description	Amount
		Inv741436183390001668937 47 MacKeep			
		Callison 5076			
			001-000-010-513-10-31-00	Office/operational Supplies	$95.40
			Mayor's computer MacKeep		
		Total Inv741436183390001668937 47 MacKeep			**$95.40**
		Inv748118383360016958846 68 fee			
		Reynolds 7429			
			001-000-030-514-20-41-00	Credit fees	$3.88
			Transaction fee		
		Total Inv748118383360016958846 68 fee			**$3.88**
	Total 0				**$1,845.27**
Total VISA					**$1,845.27**
Whidbey Island Fair Association					
	0		**2019 - January - January 2nd meeting**		
		Inv. 2019 Fair Grant			
		Website			
			105-000-000-557-30-49-08	Whidbey Island Fair	$800.00
			Website reimbursement		
		Total Inv. 2019 Fair Grant			**$800.00**
	Total 0				**$800.00**
Total Whidbey Island Fair Association					**$800.00**
Whidbey Telecom					
	0		**2019 - January - January 2nd meeting**		
		Inv. Jan. 2019			
			001-000-050-518-50-40-00	Telephone/internet	$1,050.44
			Whidbeytel		
			001-000-070-521-20-42-00	Telephone	$243.44
			Whidbeytel		
			001-000-110-558-60-47-00	Telephone	$72.03
			Whidbeytel		
		Total Inv. Jan. 2019			**$1,365.91**
	Total 0				**$1,365.91**
Total Whidbey Telecom					**$1,365.91**
Grand Total		**Vendor Count**	**36**		**$141,214.72**

Register 12/16/18 Payroll

Number	Name	Fiscal Description	Cleared	Amount
37921	Wierzbowski, Joseph W.	2018 - December - 12-3-18	12/18/2018	$500.00
37964	Shoudy, Mason O.	2018 - December - 12-3-18	12/24/2018	$1,665.62
37965	CITY OF LANGLEY	2018 - December - 12-3-18	12/18/2018	$10,752.98
37966	STATE TREASURER	2018 - December - 12-3-18	12/26/2018	$620.00
37967	WA State Support Registry	2018 - December - 12-3-18	12/24/2018	$513.03
Direct Deposit Run -	Payroll Vendor	2018 - December - 12-3-18		$24,522.32
				$38,573.95

Number	Reference	Posting Reference	Detail Amount
Direct Deposit Run -	**Payroll Vendor**	**2018 - December - 12-3-18**	**$24,522.32**
Baldwin, Darlene	ACH Pay - 4205	Posting Run - 12/15/2018	$1,145.29
Berryman, Stan K.	ACH Pay - 4206	Posting Run - 12/15/2018	$2,292.32
Callison, Timothy J.	ACH Pay - 4207	Posting Run - 12/15/2018	$1,622.23
Durr, Robert J.	ACH Pay - 4208	Posting Run - 12/15/2018	$1,875.01
Grove, Timothy J.	ACH Pay - 4209	Posting Run - 12/15/2018	$1,626.76
Hamilton, Bryan E.	ACH Pay - 4210	Posting Run - 12/15/2018	$1,155.49
Herzberg, Robert	ACH Pay - 4211	Posting Run - 12/15/2018	$368.38
Hughes, Rose	ACH Pay - 4212	Posting Run - 12/15/2018	$1,478.92
Lauer Jr., Donald E	ACH Pay - 4213	Posting Run - 12/15/2018	$2,662.30
Liggitt, Charles E.	ACH Pay - 4214	Posting Run - 12/15/2018	$2,106.85
Mahler, Debbie L.	ACH Pay - 4221	Posting Run - 12/15/2018	$2,396.75
Needham, Jillian	ACH Pay - 4216	Posting Run - 12/15/2018	$1,152.02
Perry, Randi M.	ACH Pay - 4217	Posting Run - 12/15/2018	$1,670.58
Reynolds, Brigid M	ACH Pay - 4218	Posting Run - 12/15/2018	$1,999.70
Wierzbowski, Joseph W.	ACH Pay - 4220	Posting Run - 12/15/2018	$969.72
			$24,522.32

19

Number	Name	Fiscal Description	Cleared	Amount
37976	Shoudy, Mason O.	2018 - December - 12-17-18		$1,990.93
37977	AFLAC WORLDWIDE HEADQTRS	2018 - December - 12-17-18		$286.86
37978	CITY OF LANGLEY	2018 - December - 12-17-18		$12,136.64
37979	DEPT OF LABOR & INDUST.	2018 - December - 12-17-18		$5,065.94
37980	DEPT OF RETIREMENT	2018 - December - 12-17-18		$14,246.66
37981	EMPLOYMENT SECURITY DEPT	2018 - December - 12-17-18		$2,678.90
37982	Health Care Authority	2018 - December - 12-17-18		$20,952.44
37983	National Fraternal Order of Police	2018 - December - 12-17-18		$211.50
37984	STATE TREASURER	2018 - December - 12-17-18		$620.00
37985	WA State Support Registry	2018 - December - 12-17-18		$513.03
Direct Deposit Run - 12/31/2018	Payroll Vendor	2018 - December - 12-17-18		$27,863.42
				$86,566.32

	Reference	Posting Reference	Detail Amount
Direct Deposit Run - 12/31/2018	**Payroll Vendor**	**2018 - December - 12-17-18**	**$27,863.42**
Baldwin, Darlene	ACH Pay - 4222	Posting Run - 12/31/2018	$1,385.31
Berryman, Stan K.	ACH Pay - 4223	Posting Run - 12/31/2018	$2,292.32
Callison, Timothy J.	ACH Pay - 4224	Posting Run - 12/31/2018	$1,622.23
Durr, Robert J.	ACH Pay - 4225	Posting Run - 12/31/2018	$2,072.16
Grove, Timothy J.	ACH Pay - 4226	Posting Run - 12/31/2018	$1,996.22
Hamilton, Bryan E.	ACH Pay - 4227	Posting Run - 12/31/2018	$1,431.23
Herzberg, Robert	ACH Pay - 4228	Posting Run - 12/31/2018	$368.39
Hughes, Rose	ACH Pay - 4229	Posting Run - 12/31/2018	$1,723.18
Lauer Jr., Donald E	ACH Pay - 4230	Posting Run - 12/31/2018	$3,157.17
Liggitt, Charles E.	ACH Pay - 4231	Posting Run - 12/31/2018	$2,666.38
Mahler, Debbie L.	ACH Pay - 4232	Posting Run - 12/31/2018	$2,396.75
Needham, Jillian	ACH Pay - 4233	Posting Run - 12/31/2018	$1,261.06
Perry, Randi M.	ACH Pay - 4237	Posting Run - 12/31/2018	$1,904.22
Reynolds, Brigid M	ACH Pay - 4234	Posting Run - 12/31/2018	$1,999.70
Wierzbowski, Joseph W.	ACH Pay - 4236	Posting Run - 12/31/2018	$1,587.10
			$27,863.42

JAN 1 1 2019

BY:

C091080-2 WASHINGTON STATE LIQUOR AND CANNABIS BOARD DATE: 01/06/2019

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF LANGLEY
(BY ZIP CODE) FOR EXPIRATION DATE OF 20190430

	LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1.	BRAEBURN EATS, LLC	THE BRAEBURN 197 SECOND ST # D LANGLEY WA 98260 0000	076804	SPIRITS/BR/WN REST SERVICE BAR
2.	THE INN AT LANGLEY, INC.	THE INN AT LANGLEY 400 1ST ST LANGLEY WA 98260 0000	074692	BEER/WINE REST - BEER/WINE OFF PREMISES
3.	THE STAR STORE, INC.	THE STAR STORE 200 MCLEOD ALLEY LANGLEY WA 98260 0307	353704	GROCERY STORE - BEER/WINE BEER AND WINE TASTING
4.	GORI, GRAHAM PHILLIP LOPEZ, ILIANA EUGENIA	PORTICO LATIN BISTRO 220 1ST ST LANGLEY WA 98260 8801	409747	BEER/WINE REST - BEER/WINE BEER/WINE REST - BEER/WINE

City of Langley

Planning Department

Staff Report

To: Council
From: Brigid Reynolds, Director of Community Planning
Date: January 22, 2019
RE: Adopt Ordinance No. 1052

Purpose

To adopt Ordinance no. 1052 to renew the existing moratorium on the acceptance and approval of applications for the establishment of bed and breakfast room (residential) and bed and breakfast inn in RS5000, RS7200, RS15000 and residential mixed zones and the licensing and permitting of the same.

Background/Discussion

As Council is aware, the PAB has been working on amendments to the Langley Municipal Code (LMC) regarding short term rentals (STRs)[1]. On July 16, 2018, Council adopted Ordinance No. 1047 to establish a six-month moratorium on accepting applications for this use. The Code review has not yet been completed and the six months expires on January 16, 2019. Staff are therefore recommending that the moratorium continue. Ordinance no. 1052 is attached as Attachment No. 1. A workplan has been prepared to guide the code amendment process. The workplan is attached as Attachment No. 2.

Recommendation

To adopt Ordinance No. 1052 to renew the six-month moratorium on accepting applications for short term rentals.

[1] Short term rentals refer to rentals that are for less than 30 days. They may also be known as vacation rentals, tourist accommodation, transient accommodation, Air BnB, VRBO, and similar.

ATTACHMENT NO. 1

CITY OF LANGLEY
Langley, Washington

ORDINANCE NO. 1052

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, RENEWING A SIX-MONTH MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF APPLICATIONS FOR THE ESTABLISHMENT OF BED AND BREAKFAST ROOM (RESIDENTIAL) AND BED AND BREAKFAST INN IN ALL RS5000, RS7200, RS15000 AND RESIDENTIAL MIXED ZONES AND THE LICENSING AND PERMITTING THEREOF; DECLARING AN EMERGENCY; PROVIDING THAT THE MORATORIUM WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM RENEWAL; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Langley Municipal Code (LMC) contains regulations for the establishment of short term rentals or transient accommodations, including Hotels, Motels, Bed and Breakfast Rooms, and Bed and Breakfast Inns; and

WHEREAS, the LMC provisions for bed and breakfast rooms (residential) and bed and breakfast inns and other short term rental accommodations were originally adopted in 1989 by Ordinance 527 with minor revisions in 1990, 1997 and 2001; and

WHEREAS, in recent years the ease of renting rooms and homes for short term rentals has increased due to the growth and popularity of internet-based services for short-term rentals including but not limited to Airbnb and VRBO, which may negatively affect adjacent properties, the stock of affordable housing within the City, and the City overall in ways not previously contemplated; and

WHEREAS, the Comprehensive Plan adopted on March 5, 2018 includes Policy H-4.9 that states "Review the impacts that vacation rentals (Air B&B, VRBO, etc) may be having on long term rentals and housing affordability and if necessary, develop a strategy in response"; and

WHEREAS, a review of short term rentals available in the City indicates a growing number of property owners rent their residential properties for short term rentals that meet the codified definitions of Bed and Breakfast rooms (residential) and/or Bed and Breakfast Inns but without applying for and receiving the required approval from the City; and

WHEREAS, the City has received complaints regarding unpermitted short term rentals in the City and complaints regarding the number of short term rentals that have not been approved or permitted in the City; and

WHEREAS, the City Council recognizes the current LMC provisions regarding short terms rentals including Bed and Breakfast rooms (residential) and Bed and Breakfast Inns do not

address the current reality of operation and patronage of short term rentals and may no longer be adequate to address issues related to parking, noise, property maintenance, and other issues associated with short-term rentals and therefore may not be in the community's interest; and

WHEREAS, City Council adopted Ordinance No. 1047 on July 16, 2018, a six-month emergency moratorium on the acceptance and approval of applications for the establishment of bed and breakfast room (residential) and bed and breakfast inn in all RS5000, RS7200, RS15000 and residential mixed zones and the licensing and permitting thereof; and

WHEREAS, the moratorium established by Ordinance No. 1047 is set to expire on January 16, 2019; and

WHEREAS, the PAB has developed a work plan to guide the process but has not yet completed its review of code and is not yet ready to make a recommendation to Council, and, therefore, on December 5, 2018, recommended that the moratorium be renewed; and

WHEREAS, to promote the public health, safety and welfare the City Council deems it appropriate to renew the moratorium on vacation permits applications for an additional period of six months to provide time for the review and legislative process to occur without allowing currently unpermitted short term rentals to become vested under current regulations; and

WHEREAS, a public hearing will be held on January 22, 2019, before the Langley City Council, after which time the City may adopt additional findings relevant to this moratorium renewal;

WHEREAS, the City is organized under chapter 35A.12 RCW and authorized to adopt ordinances for the public health and welfare of its citizens and, pursuant to RCW 36.70A.390, is authorized to adopt and renew a zoning moratorium;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Finding of Facts Adopted and Moratorium Renewed. Pursuant to the provisions of RCW 35.63.200 and RCW 36.70A.390 and the recitals as set forth above, which are hereby adopted by this reference as the City Council's findings in support of the moratorium imposed by this ordinance, a zoning moratorium is hereby renewed in the City of Langley prohibiting the acceptance of applications, licensing, permitting, or establishment of any Bed and Breakfast room (residential) and Bed and Breakfast Inn, as defined in Langley Code section 18. 22.070 & .080 in RS5000, RS7200, RS15000 and Residential Mixed zones as set forth in the Langley Municipal Code.

Section 2. Code Amendments. The City Council hereby directs the PAB to continue its work on reviewing short term rentals and propose possible amendments to the LMC prior to the sunset of this moratorium.

Section 3. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim ordinance shall be transmitted to the Washington State Department of Commerce.

Section 4. End Date of Moratorium Renewal Unless Extended. This moratorium renewed herein shall remain in effect for six months until July 22, 2019 and shall automatically expire at the conclusion of that 6-month period, unless earlier terminated by the City Council. The City Council may extend the moratorium consistent with the terms of chapter 36.70A RCW.

Section 5. Public Hearing. Pursuant to RCW 36.70A.390, a public hearing shall be held on the moratorium on January 22, 2019 at approximately 6:00 p.m., at the Langley City Hall, Langley, Washington.

Section 6. No Unpermitted Uses. No use that constitutes or purports to be a Bed and Breakfast room (residential) and Bed and Breakfast Inn, as defined in Langley Code sections 18. 22.070 & .080, that engages or engaged in that activity without a valid authorization or permit as required by Chapter 18.22 LMC shall be deemed to have been a legally established use under the provisions of the Langley Municipal Code and that use shall not be entitled to claim legal nonconforming status nor shall such use be entitled to continue. The moratorium imposed in Section 1 shall not apply to any Bed and Breakfast room (residential) and Bed and Breakfast Inn, legally established and permitted prior to the effective date of this Ordinance.

Section 7. Severability. Each and every provision of this Ordinance shall be deemed severable. If any provision of this Ordinance should be deemed to be unconstitutional or otherwise contrary to law by a court of competent jurisdiction, then it shall not affect the validity of the remaining sections so long as the intent of the Ordinance can be fulfilled without the illegal section.

Section 8. Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses, above, all of which are adopted by reference as findings of fact as if fully set forth herein.

ADOPTED by City Council and **APPROVED** by the Mayor this _____.

CITY OF LANGLEY

By _____
Tim Callison, Mayor

ATTEST:

By _____
Debbie Mahler, Clerk-Treasurer

APPROVED AS TO FORM:

By _____
Mike Kenyon, City Attorney

Date of Publication: _____

ATTACHMENT NO. 2

Short Term Rental
Moratorium Workplan
Ordinance no. 1052
01/02/2019

Background

The Planning Department has been monitoring short-term rentals (STRs) since 2015. This has included reviewing business licenses and web scans of internet-based platforms such AirBnB, VRBO, etc. The numbers of these operations continue to grow. Attachment No. 1 shows the increasing numbers of operators. While these figures may not be totally accurate due to the inherent challenge of gathering this data, the trends reflect a significant growth in the last three years.

As with many coastal communities in the Puget Sound region and larger Pacific Northwest the City of Langley is a desirable place to live, work and recreate. As a result, housing costs are becoming increasingly more expensive and cost prohibitive for working people. A recent study prepared by Island County determined that 27% of dwelling units in South Whidbey are vacant or second homes. The growth of short term rentals also appears to be impacting the availability of long term rentals, monthly rents and the overall cost of housing in South Whidbey.

The City adopted its updated Comprehensive Plan in March 2018. Housing and housing affordability were significant issues discussed during that process. Since its adoption the Planning Department has been preparing amendments to the municipal code to reduce barriers to the construction of smaller more affordable housing units. In addition to the numerous goals and policies in the Comprehensive Plan relating to housing a specific policy recognizes the need to review the impact of STRs.

> *H-4.9 Review the impacts that vacation rentals (Airbnb, VRBO, etc) may be having on long term rentals and housing affordability and if necessary, develop a strategy in response.*

The Planning Advisory Board (PAB) has been discussing short term rentals since May 2018 as the current regulations do not adequately address the types of STRs on the market today or their internet-based platforms. Planning staff has also been researching and consulting with local governments with similar contexts to help guide the process. At its meeting on November 7, 2018 the PAB established goals and objectives to guide the proposed code amendments and process. These can be found in Attachment No. 2. At the same meeting the PAB recommended using an external web-based compliance company to assist the City with enforcement.

On July 16, 2018 Council adopted Ordinance No. 1047, 6-month emergency moratorium to accepting applications for STR. The public hearing was held on August 20, 2018. The moratorium expires on January 16 and while the PAB and Planning Department has made some headway on the matter more

time is needed. PAB continues to refine a potential strategy for code amendments for STRs in Langley. At its meeting on December 5, 2018 the PAB recommended the moratorium be renewed.

Workplan

Table No. 1 below outlines the major steps and milestones to guide the code amendment process. Staff have identified three main components of the STR Code Amendment framework:

1. Code Amendments
2. Enforcement Strategy
    a. Possible contract with a web based STR compliance company.
3. Implementation Plan
    a. Process and dead line for compliance

Table No. 1

Date	Task	Who
12/18/2018	Review business license renewal data to remove STR operators and send letter advising of moratorium and process	Brigid
1/2/2019	Recommend workplan to Council	PAB
1/22/2019	Public hearing and adopt new 6-month moratorium and workplan	Council
2/6/2019	Refine STR Code amendment framework	PAB
3/6/2019	Continue to refine framework	PAB
Mid-March	Public meeting Meet with other stakeholders	Staff
April	Refine amendments and framework	Staff
5/1/2019	Back to PAB for final recommendation to Council	
5/29/2019	Public hearing	PAB
6/3/2019	Facts and Finding report and first reading to Council	Brigid
6/17/2019	Second reading	Council

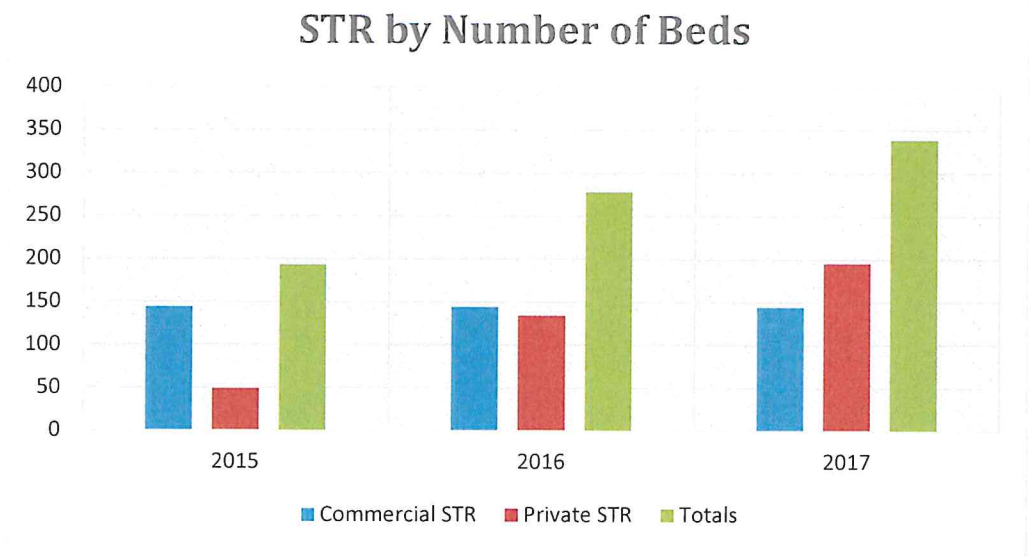
Consultation will include discussions with:

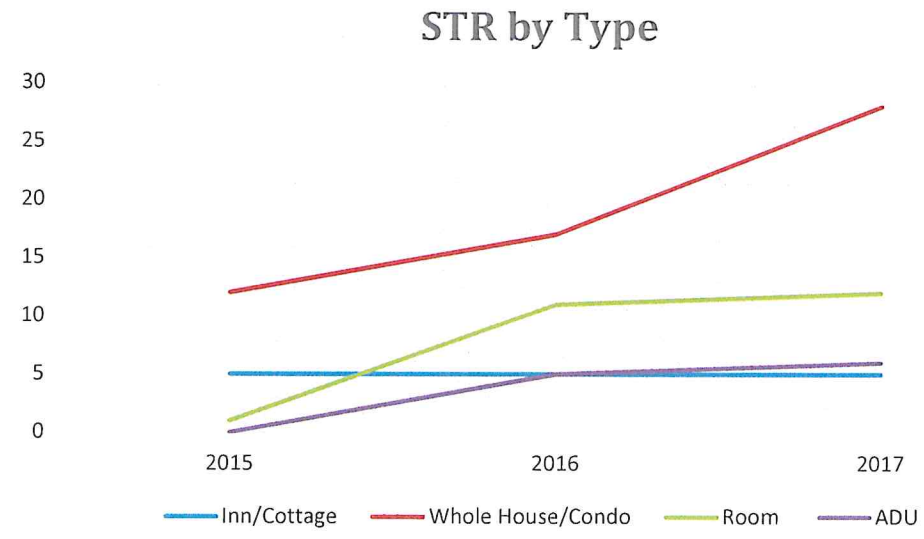
- Langley's Chamber of Commerce
- Island County Tourism Board
- Town of Coupeville and Island County Planning staff
- Web based STR enforcement businesses
- Formal accommodation operators
- Electronic platforms – Airbnb, HomeAway, TripAdvisor (flipkey),

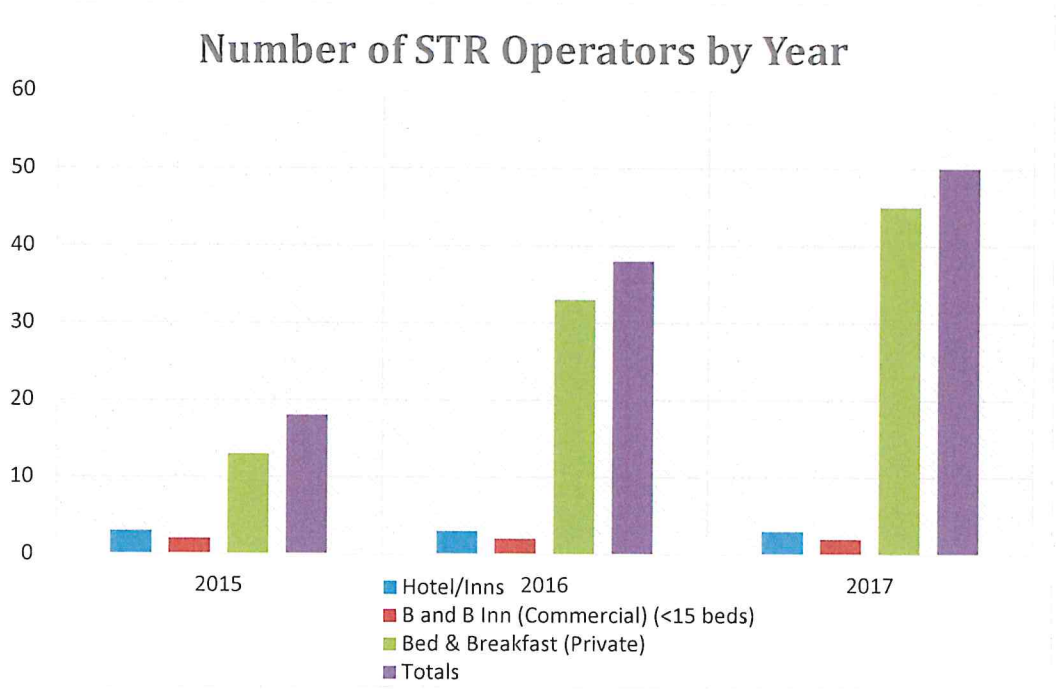
Public meeting invites:

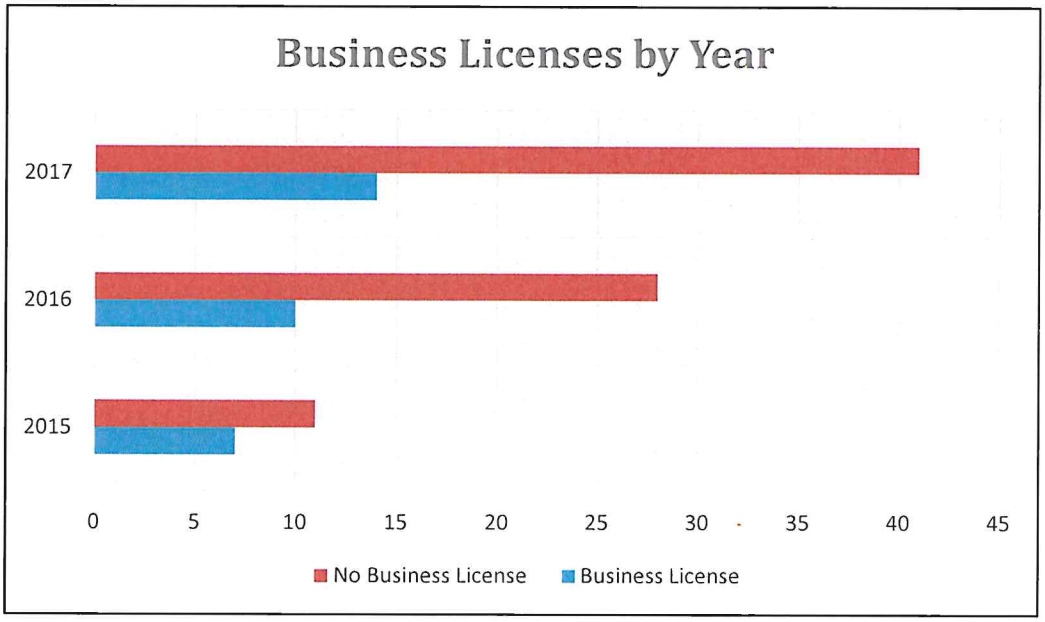
- Known operators and management companies
- Langley's Chamber of Commerce
- IC Tourism Board

Attachment No. 1
STR trends 2015 to 2018






Number of STR Operators by Year
60
50
40
30
20
10
0
2015
2016
2017
Hotel/Inns
B and B Inn (Commercial) (<15 beds)
Bed & Breakfast (Private)
Totals


Business Licenses by Year
2017
2016
2015
0
5
10
15
20
25
30
35
40
45
No Business License
Business License

Attachment No. 2
Draft Vision and Objectives for STR Code Amendments

The draft vision and objectives were reviewed by PAB at its meeting on October 3 and November 7, 2018

DRAFT Vision

- Tourism continues to play an important role in Langley's economy
- Fulltime residents outnumber seasonal residents and tourists
- Tourism and service workers live in Langley
- Long-term rentals outnumber short-term rentals
- The majority of short-term rentals are bedrooms or accessory dwelling units where the owner/ manager lives there.
- A small percentage of whole homes are used as short-term rentals and the owner/manager lives in close proximity.
- The use of any one home as used as a short-term rental shall be of limited duration.
- All short-term rental operators and operations comply with the City and State Codes.
- The operation of unauthorized short-term rentals is enforced.

DRAFT Objectives:

Establish and manage a short-term rental regulation and program that

- Prevents residential neighborhoods from being turned into tourist areas to the detriment of full-time residents
- Does not negatively affect property values (and property tax revenue)
- Does not create pseudo hotels or "party houses"
- Minimizes public safety risks and nuisances such as noise, trash and parking problems
- Gives permanent residents the option to occasionally use their properties to generate extra income from short-term rentals.
- Maximizes the availability of potentially more affordable housing options by minimizing the numbers of long-term rental properties being converted into short-term rentals
- Ensures that short-term rentals are taxed in the same way as traditional lodging providers to create a level playing field and maintain local service jobs
- Ensures that the city does not lose out on lodging tax revenue that is invested in tourism related activities consistent with State code
- Is managed and enforced equitably across the City.
- Does not create an undue burden on City staff and resources.
- Builds in cost recovery.

City of Langley

Planning Department

STAFF REPORT

TO:	Council
FROM:	Brigid Reynolds, MCP, MCIP, RPP – Director of Community Planning
MEETING DATE:	January 22, 2019
RE:	First Street Complete Streets Project

PURPOSE

To consider approving the design drawings for the First Street Complete Street project.

BACKGROUND/DISCUSSION

The City of Langley is proposing to undertake street improvements to First Street between Anthes Avenue and Wharf Street. Improvements include reconstructing the intersection of First St and Anthes Avenue and adding three raised crosswalks. Specific elements include demolition of existing asphalt, curb and gutter and stormwater collection/conveyance system, new stamped and standard concrete roadway surfaces, new stamped and standard cement concrete sidewalks, approximately 600 linear feet of new cement concrete curb, a new stormwater collection and conveyance system consisting of approximately 200 linear feet of stormwater piping and 13 type 1 catch basins, associated landscaping, pavement marking and property restoration. Design drawings job no. 18240 prepared by PACE Engineering (12/21/17) are attached.

The City received State funds for this project in December 2016. The State granted these funds due in part to the City's past success with Second Street improvements and its relationship with Langley Main Street Association on that project and as an ongoing partner.

The proposed design was the subject of three community meetings held on 2016/09/21, 2017/10/25 and 2018/03/28. Advisory group meetings were also held to further refine the proposed improvements. Proposed design drawings were posted on the Design Langley website as well as community comments received at the different community meetings. Property owners and shop owners were advised of events through mail and direct contact by Langley Main Street Association and on the website.

The total grant received was $250,000 and approximately $50,000 has been spent on engineering related costs. The remaining balance is unlikely enough to cover the full cost of the improvements. The elements of the project can be separated and once the bids have been received staff will be able to determine which portions of the project can be undertaken with the grant funds and seek out funds for the remaining parts of the project.

The project will be scheduled so there is as little disruption as possible and it will not occur during the summer months. Langley Main Street Association assisted with the City with public outreach for the Second Street project and has agreed to assist on this project as well.

At its regular meeting on January 15, 2019 the DRB reviewed the design drawings. A couple of issues were discussed in greater details:

- Landscaping – planting areas are included in the plan at cross walk bump outs but there is no budget for plants themselves. The Public Works Department will seek other funds for plantings. Langley Main Street Association has indicated they don't have the capacity to take on additional landscaping.
- Frick Lane cross walk – this cross walk is mid-block and intended to provide a connection between Second Street, Frick Lane and First Street. Concern has been expressed about this cross walk due to the loss of approximately three parking stalls. As discussed above due to budget limits the project is anticipated to be phased. Improving existing crosswalks is a higher priority than adding a new cross walk.

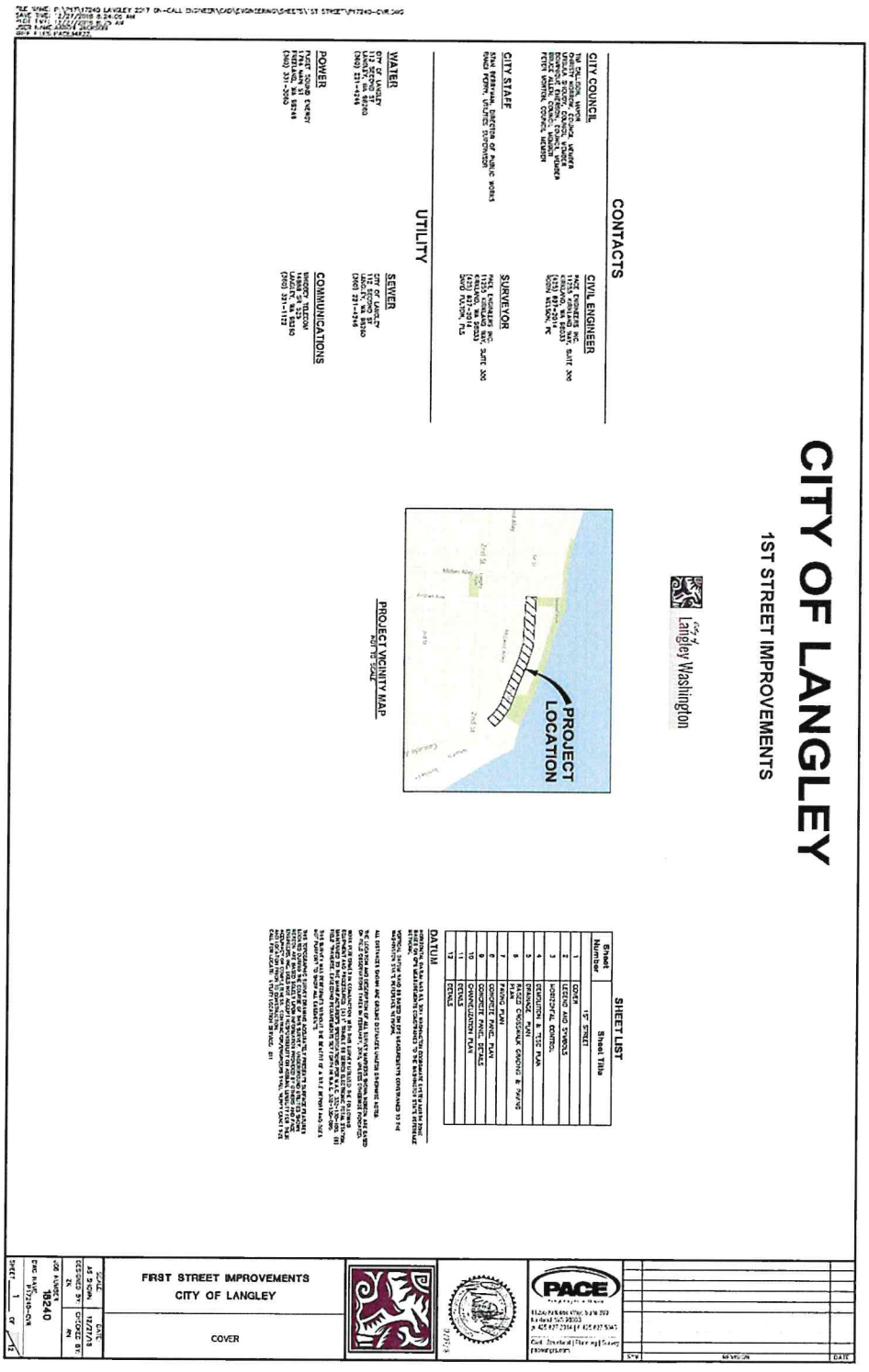
PROPOSED FINDINGS AND CONCLUSIONS:

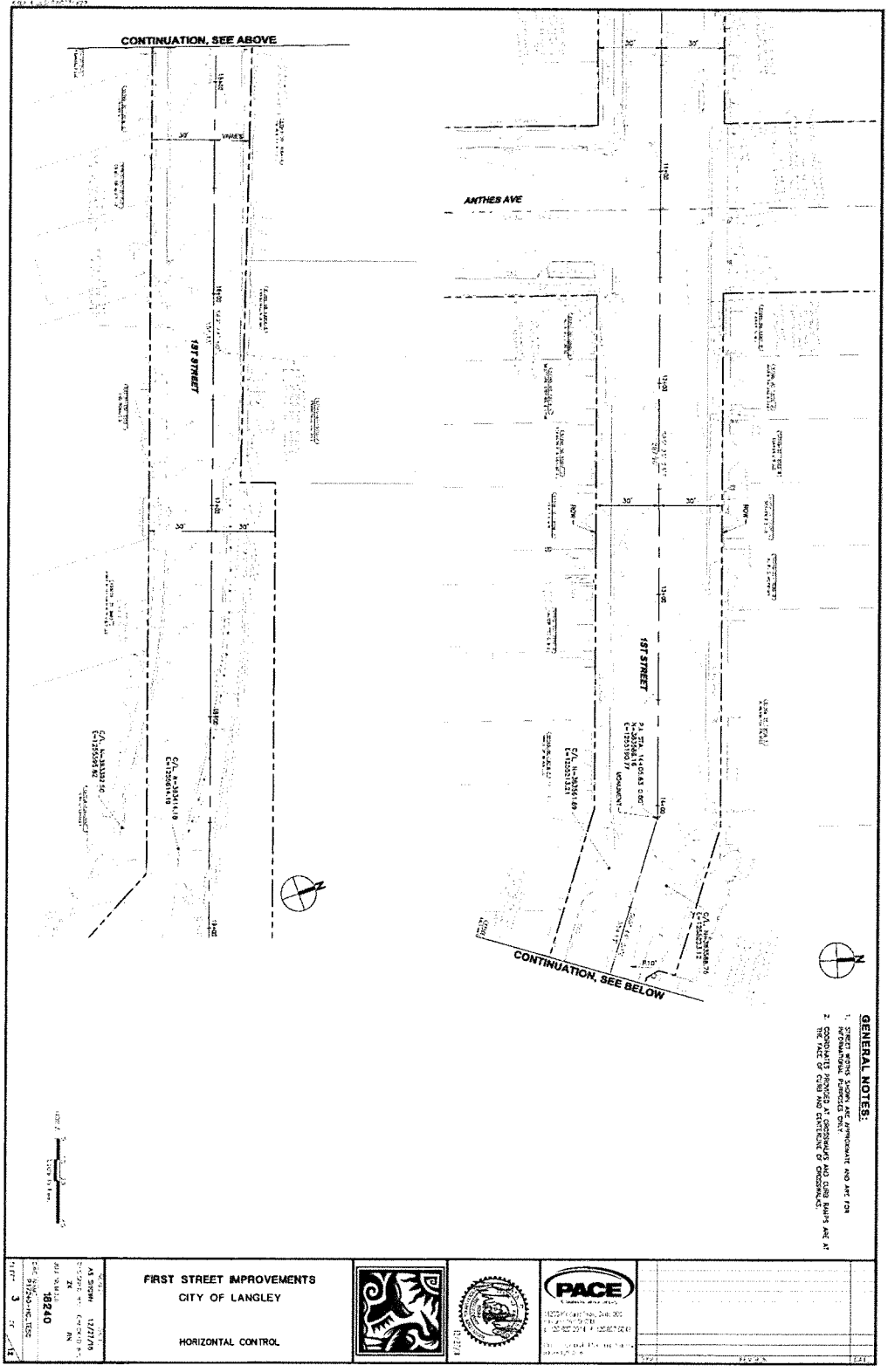
1. The Design Review Board and City staff have determined that the proposed improvements are consistent with the purpose as outlined in LMC 18.34.030 as it will enhance the City's architectural heritage and visual character by making this portion of First Street more pedestrian focused.
2. The proposed improvements are also consistent with LMC 15.01.465 Complete Streets code to improve the pedestrian environment by adding a plaza at the Anthes Ave and First Street intersection, adding another cross walk mid-block at Frick Lane, raising the existing crosswalks and making them more visible, creating a smaller plaza at Boy and Dog Park.
3. This location of the project is within the Shoreline Master Plan area but is exempt from the requirements of the SMP as per Section 7.6.3.2 and RCW 90.58.030 (3)(e)(i).
4. The proposed improvements were identified in the City's Transportation Improvement Plan in the Comprehensive Plan approved by Council March 5, 2018.
5. The State Transportation Improvement Board provided a grant to undertake the improvements on December 2, 2016.
6. Design drawings were prepared and were the subject of three public meetings held on 2016/09/21, 2017/10/25 and 2018/03/28 as well as advisory group meetings.
7. First Street property owners and shop owners and other stakeholders have been informed of the various events throughout the process.
8. Design drawings were revised based on public input and also in consideration of the available budget.
9. Construction work will be undertaken outside of the summer season to reduce the impacts on shop owners.
10. The proposed improvements are consistent with City of Langley Comprehensive Plan (2018) Transportation goals and related policies T-1, T-2, and T-4 2, Land Use goal and related policies LU-11.
11. The proposed improvements are consistent with LMC 15.01.025 Standard Specifications Design and 15.01.465 Streets-General-Complete Streets.
12. The proposed final drawings were reviewed by the Design Review Board on January 15, 2019 in accordance with Langley Municipal Code (LMC) Sections 18.34.030 A) and B) and DRB recommended approval.
13. In accordance with Section 18.34.030 of the LMC, Public Works and Planning staff have reviewed the application for consistency with the Code and Design Review Guidelines and recommends approval.

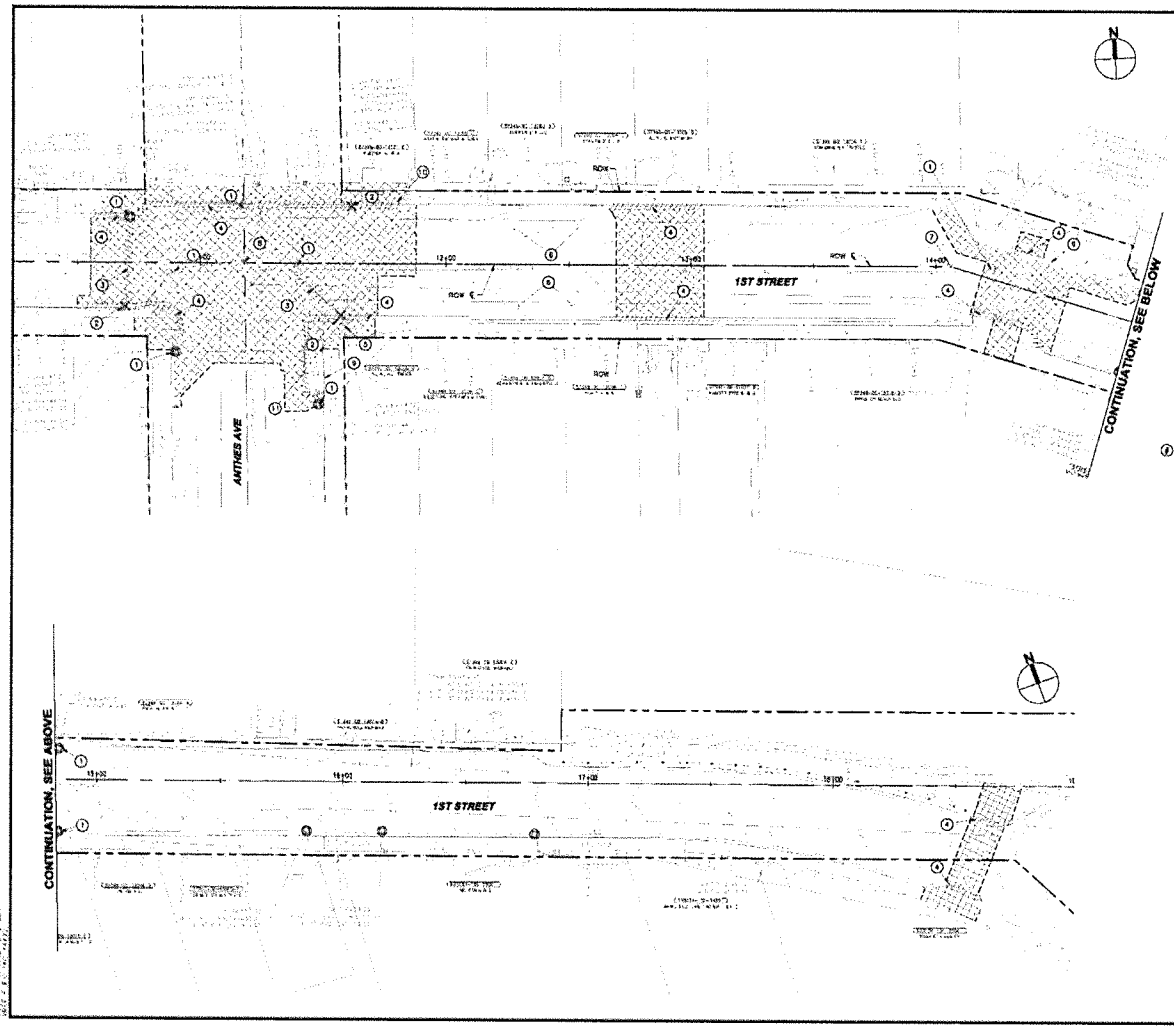
STAFF RECOMMENDEDATION:

That Council approve the proposed First Street/Complete Streets project.

Attachment No. 1
Design drawings Job Number 18240 (excerpts)
prepared by PACE Engineering (12/27/18)




CONTINUATION, SEE ABOVE
ANTHES AVE
1ST STREET
CONTINUATION, SEE BELOW
GENERAL NOTES:
1. STREET WIDTHS SHOWN ARE APPROXIMATE AND ARE FOR INFORMATIONAL PURPOSES ONLY
2. COORDINATES PROVIDED AT CROSSWALKS AND CURB RAMPS ARE AT THE FACE OF CURB AND CENTERLINE OF CROSSWALK.
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
HORIZONTAL CONTROL
PACE
18240



LEGEND

- SAWCUT LINE
- DEMOLISH FEATURE
- DEMOLISH STRUCTURE
- DEMOLISH PAVEMENT
- CATCH BASIN INSERT

GENERAL NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HAULING AND DISPOSING OF ALL ITEMS SHOWN TO BE DEMOLISHED.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES, WHETHER SHOWN WITHIN THESE PLANS OR NOT. CONTACT UTILITY LOCATE PRIOR TO CONSTRUCTION.
3. CITY STREETS SHALL BE KEPT FREE OF DEBRIS AT ALL TIMES. CONTRACTOR TO SWEEP STREETS AT THE END OF THE DAY.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED DAILY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.

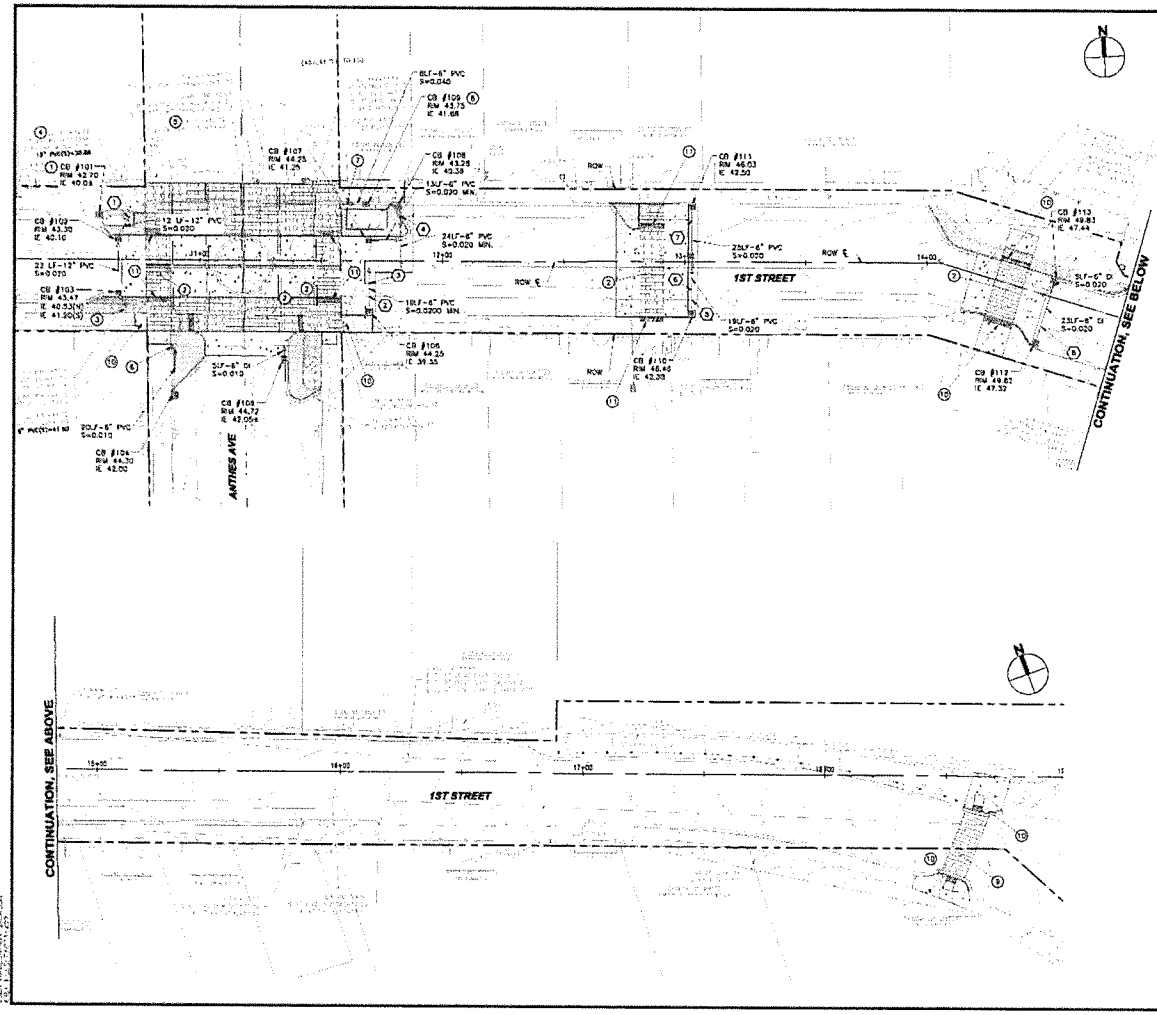
CONSTRUCTION NOTES:

1. EX. CATCH BASIN TO REMAIN. PROTECT DURING CONSTRUCTION.
2. EX. CATCH BASIN TO BE DEMOLISHED. INSTALL CATCH BASIN INSERT UNTIL STRUCTURE IS REMOVED.
3. DEMOLISH EX. STORM PIPE WITHIN LIMITS SHOWN.
4. DEMOLISH EX. CURB AND GUTTER WITHIN LIMITS SHOWN.
5. EX. CITY AMENITIES TO BE REMOVED AND RELOCATED PER THE DIRECTION OF THE CITY OF LANGLEY.
6. EX. PAVEMENT MARKINGS TO BE REMOVED AS NECESSARY TO COMPLETE FINAL CHANNELIZATION AND PAVEMENT MARKINGS SHOWN IN THE CHANNELIZATION PLAN.
7. PROTECT EX. MONUMENT.
8. EXISTING MONUMENT LOCATION TO BE SURVEYED AND REPLACED.
9. EX. CURB TO REMAIN. PROTECT DURING CONSTRUCTION.
10. REMOVE NO PARKING SIGN.
11. EX. WATER METER TO BE RELOCATED.

PACE

FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
DEMOLITION & TESC PLAN

AS SHOWN 12/27/18
ZK RN
18240
P17240-DEMO
4



GENERAL NOTES:

1. ADJUST ALL STORM, SEWER, WATER AND COMMUNICATIONS RISERS AND LIDS TO FINISHED GRADE.
2. ALL NEW CATCH BASINS SHALL BE TYPE 1 WITH LOCKING HERRING BONE GRATE AND COVERS UNLESS OTHERWISE NOTED.
3. NEW STORM CONNECTIONS MADE TO THE EX. PIPED STORM SYSTEM SHALL BE MADE WITH INSERT-A-TEE COUPLINGS UTILIZING THE MANUFACTURERS RECOMMENDED MATERIAL SPECIFIC COUPLING TYPE.

(F) CONSTRUCTION NOTES:

1. NEW CATCH BASIN TO BE INSTALLED AS A CUT IN CONNECTION TO EXISTING STORM PIPE.
2. RAISED CROSSWALK.
3. EX. 4" PVC TO BE CUT OFF AND CONNECTED TO CB #103.
4. REPLACE RECTANGULAR FRAME AND GRATE WITH ADA COMPLIANT GRATE PER WSDOT STD PLAN B30.15-00. ADJUST RIM TO FINISHED GRADE, RIM=43.00.
5. REPLACE LID WITH NON-SKID, SOLID LOCKING LID AND ADJUST TO FINISHED GRADE.
6. REPLACE LID WITH NON-SKID, SOLID LOCKING LID AND ADJUST TO FINISHED GRADE, RIM=44.00.
7. CONNECT TO EX. 6" PLASTIC PIPE WITH FLEXIBLE FERNCO COUPLING.
8. RECTANGULAR FRAME AND GRATE SHALL BE ADA COMPLIANT PER WSDOT STD PLAN B30.15-00.
9. DECORATIVE/STAMPED CEMENT CONCRETE CROSSWALK (UNRAISED CROSSWALK).
10. PERPENDICULAR CURB RAMP.
11. PROVIDE DETECTABLE WARNING STRIP PER STD PLAN F40.10.

UTILITY CROSSINGS

(F)	UTILITY	LOCATION	ELEVATION
1	STORM	INVERT	39.9
	SEWER	CROWN	38.5
2	COMM	BOTTOM	41.8
	STORM	CROWN	39.8
3	WATER	INVERT	42.9
	STORM	CROWN	38.7
4	STORM	INVERT	40.3
	SEWER	CROWN	38.3
5	COMM	BOTTOM	44.2
	STORM	CROWN	42.3
6	WATER	INVERT	43.1
	STORM	CROWN	42.7
7	STORM	INVERT	42.6
	SEWER	CROWN	40.4
8	STORM	INVERT	47.0
	WATER	CROWN	48.5

UTILITY CROSSING NOTE:
EXISTING UTILITY DEPTHS ARE ESTIMATES BASED STANDARD UTILITY DEPTHS AND/OR INTERPOLATION BETWEEN STRUCTURES. CONTRACTOR SHALL CONFIRM EX. UTILITY LOCATION PRIOR TO ORDERING MATERIALS AND CONFIRM CROSSINGS WITH PACE.

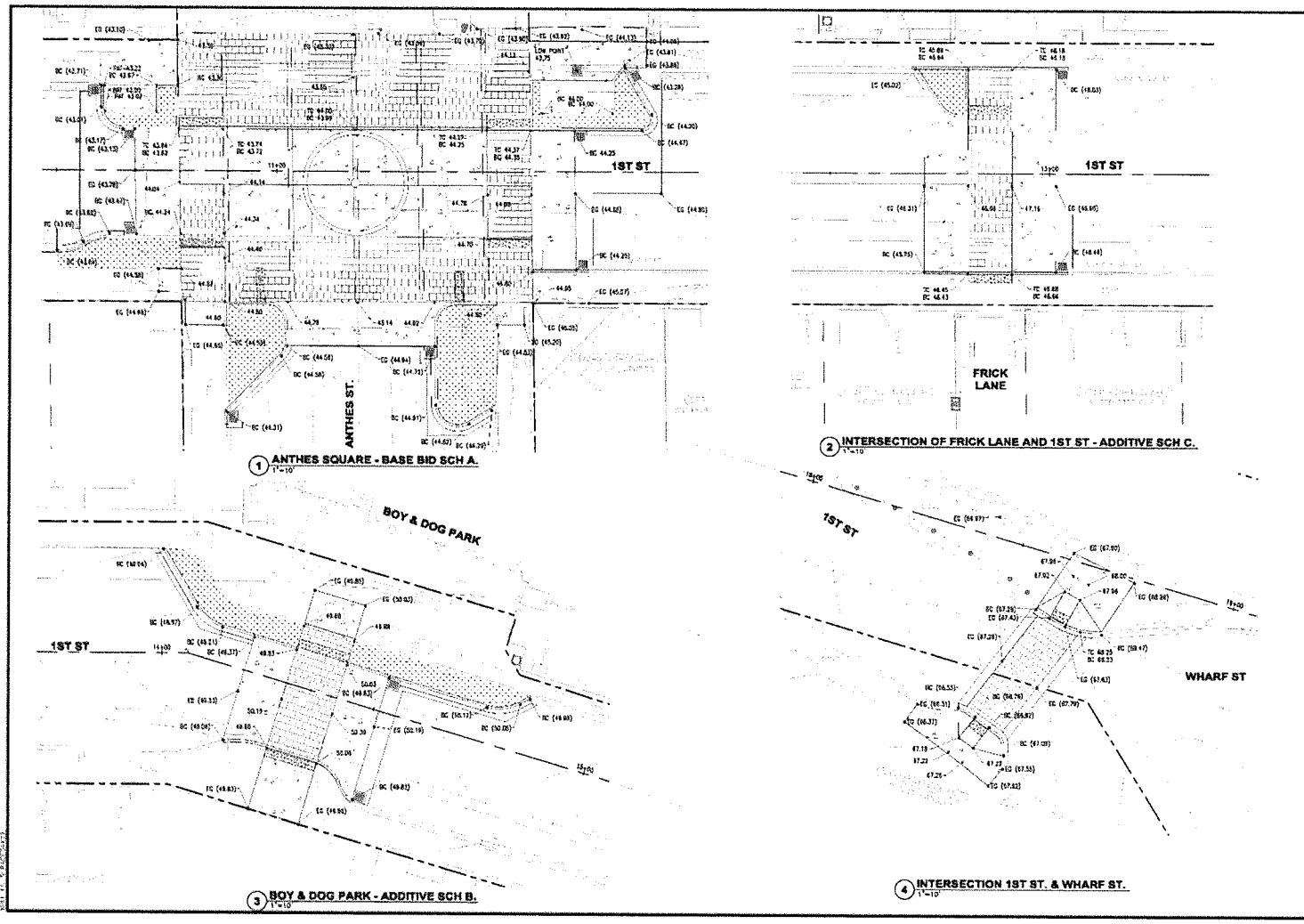
PACE ENGINEERS, INC.
14201 SE PETROVITSKY RD, SUITE A-3
RENTON, WA 98058
T: 425.577.1286 F: 425.577.1287

12/27/10

FIRST STREET IMPROVEMENTS
CITY OF LANGLEY

DRAINAGE PLAN

SCALE: AS SHOWN	DATE: 12/27/10
DESIGNED BY: ZK	CHECKED BY: RN
JOB NUMBER: 18240	
DRG NAME: P17240-SD_PAV	
SHEET 5 OF 12	



1 ANTHES SQUARE - BASE BID SCH A.
1"=10'

2 INTERSECTION OF FRICK LANE AND 1ST ST - ADDITIVE SCH C.
1"=10'

3 BOY & DOG PARK - ADDITIVE SCH B.
1"=10'

4 INTERSECTION 1ST ST. & WHARF ST.
1"=10'

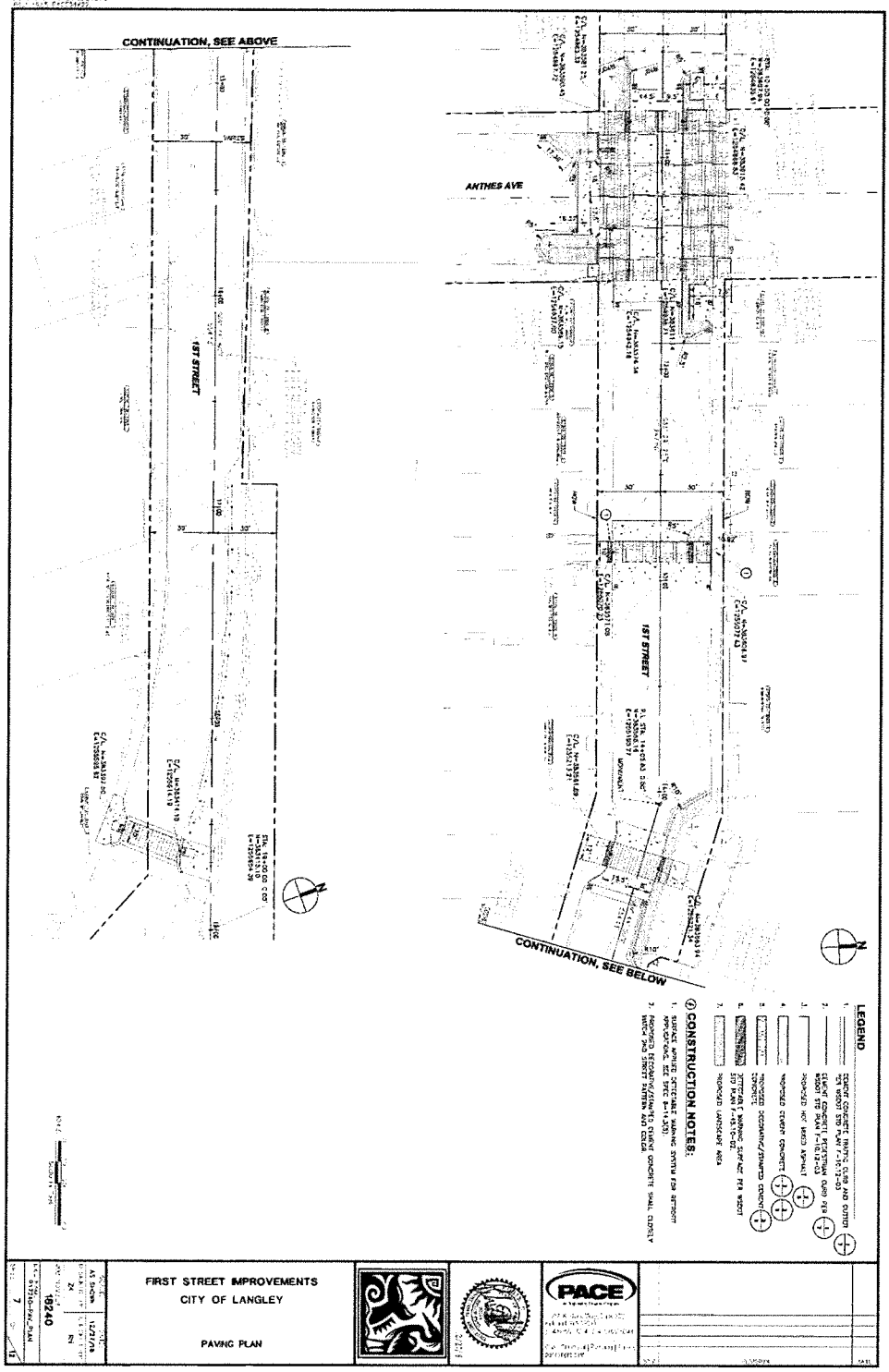
PACE

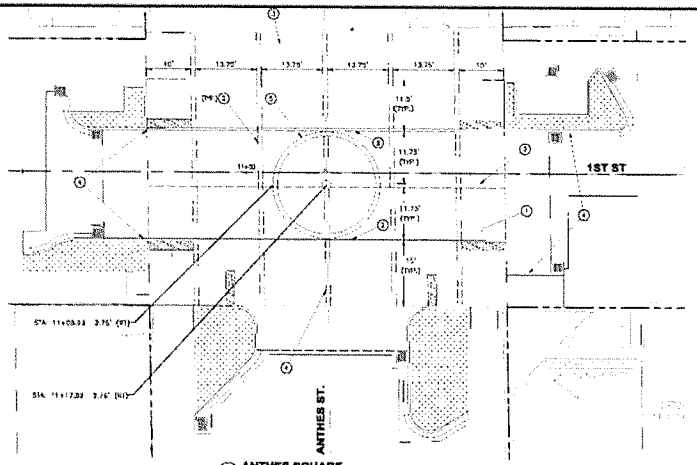
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY

RAISED CROSSWALK GRADING & PAVING PLAN

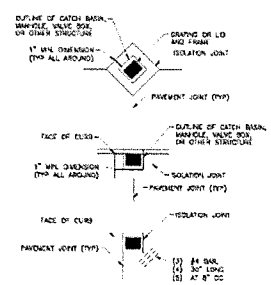
AS SHOWN 12/27/18
ZK RN
18240
P17240-OCT
SHEET 6 OF 12

7
37


CONTINUATION, SEE ABOVE
ANTHES AVE
1ST STREET
CONTINUATION, SEE BELOW
LEGEND
CONSTRUCTION NOTES:
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
PAVING PLAN
PACE
16240



1 ANTHES SQUARE
1"=10'



2 TYPICAL STRUCTURE ISOLATION JOINTS DETAILS
N/S

CONSTRUCTION NOTES:

1. STAMPED CONCRETE PAVEMENT. SEE PAVING PLAN SHEET 7 FOR LAYOUT.
2. CONCRETE BAND, 1.0' WIDTH (TYP.). SEE PAVING PLAN SHEET 7 FOR LAYOUT.
3. EXPANSION JOINT TYP. SEE DETAIL 2, SHEET 11.
4. LOCK OF ROADWAY, TYP.
5. CONTRACTION JOINT. SEE DETAIL 2, SHEET 11.

GENERAL NOTES:

1. CONCRETE PANEL JOINT IS SCHEMATIC. CONTRACTOR TO SUBMIT PLACING AND JOINTING PLAN TO ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTING FORMS. JOINTS SHALL BE CONSTRUCTED PER SPEC SECTIONS-03.3(8) AND PER WSDOT STANDARD PLAN A-40.10-02.
2. JOINTS ARE NOT SHOWN FOR CEMENT CONCRETE SIDEWALK AREAS OR CONCRETE PAD UNDER PAVERS. SEE SHEET 34 FOR SCORED SIDEWALK CONCRETE DETAILS.
3. ALL TRANSVERSE AND LONGITUDINAL CONTRACTION JOINTS SHALL BE FORMED WITH SUITABLE POWER-DRIVEN CONCRETE SAWS. THE CONTRACTOR SHALL PROVIDE SUFFICIENT SAWING EQUIPMENT CAPABLE OF COMPLETING THE SAWING TO THE REQUIRED DIMENSIONS AND AT THE REQUIRED RATE TO CONTROL CRACKING. THE CONTRACTOR SHALL PROVIDE ADEQUATE ARTIFICIAL LIGHTING FACILITIES FOR NIGHT SAWING.
4. ANY DAMAGE TO THE CURING MATERIAL DURING THE SAWING OPERATIONS SHALL BE REPAIRED IMMEDIATELY AFTER THE SAWING IS COMPLETE.
5. WHEN CEMENT CONCRETE PAVEMENT IS PLACED ADJACENT TO EXISTING CEMENT CONCRETE PAVEMENT, THE VERTICAL FACE OF ALL EXISTING WORKING JOINTS SHALL BE COVERED WITH POLYETHYLENE FILM OR BUILDING PAPER IN ACCORDANCE WITH AASHTO M 171.
6. LENGTH TO WIDTH RATIO BETWEEN JOINTS SHALL NOT EXCEED 1.5:1. JOINT SPACING SHALL NOT EXCEED 15'.
7. JOINT LOCATION IN SIDEWALKS SHALL BE LOCATED TO DIFFERENTIATE PANEL TREATMENT AND PAVEMENT TREATMENT TYP.
8. CLEAN JOINTS BY SAWCUT OR HAND TOOL. NO RADIUS ON EDGE. NO SMOOTH FLANGE TOOLING ON EITHER SIDE OF JOINT.

PACE

FIRST STREET IMPROVEMENTS
CITY OF LANGLEY

CONCRETE PANEL PLAN

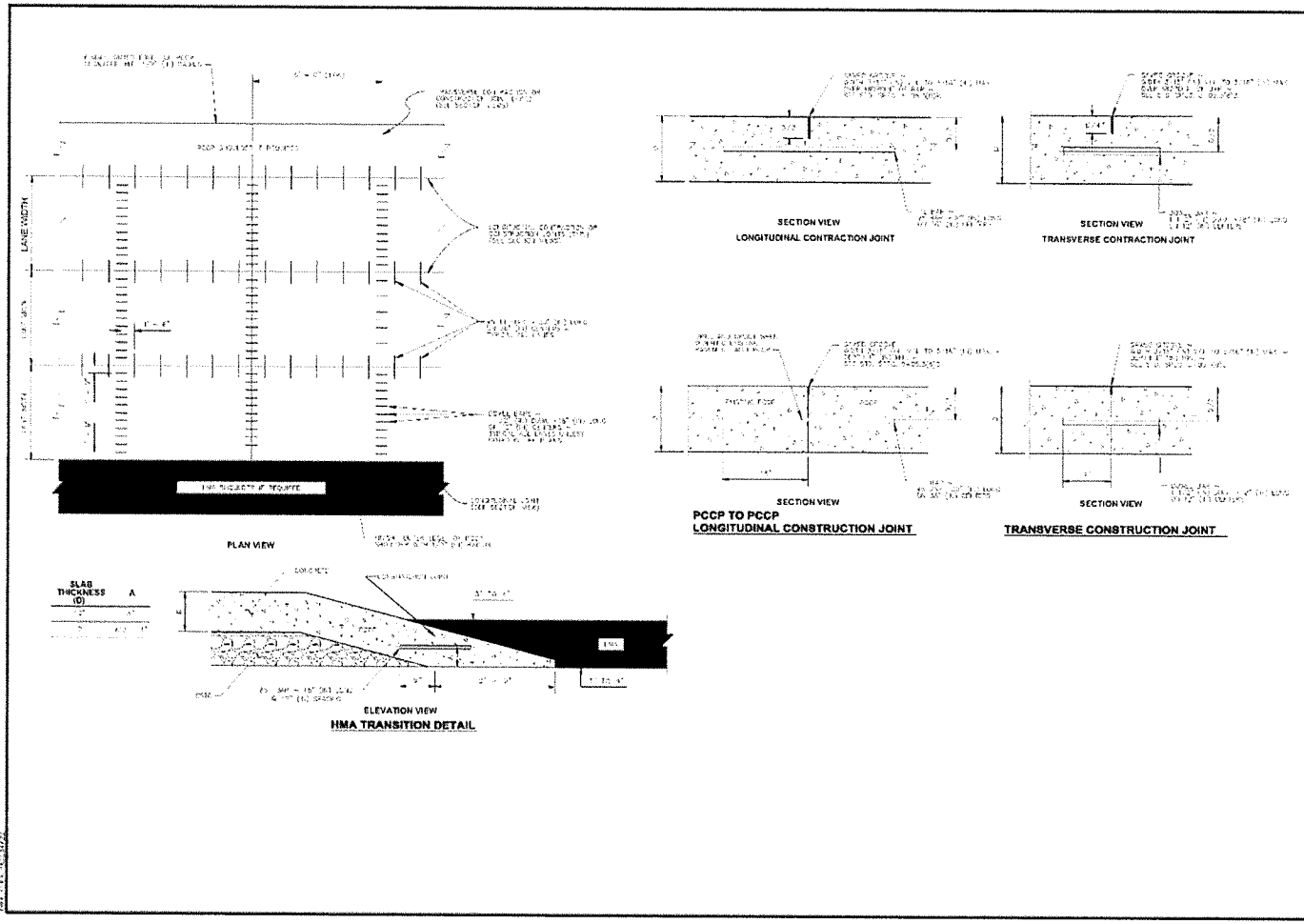
AS SHOWN 12/27/16
2K RN

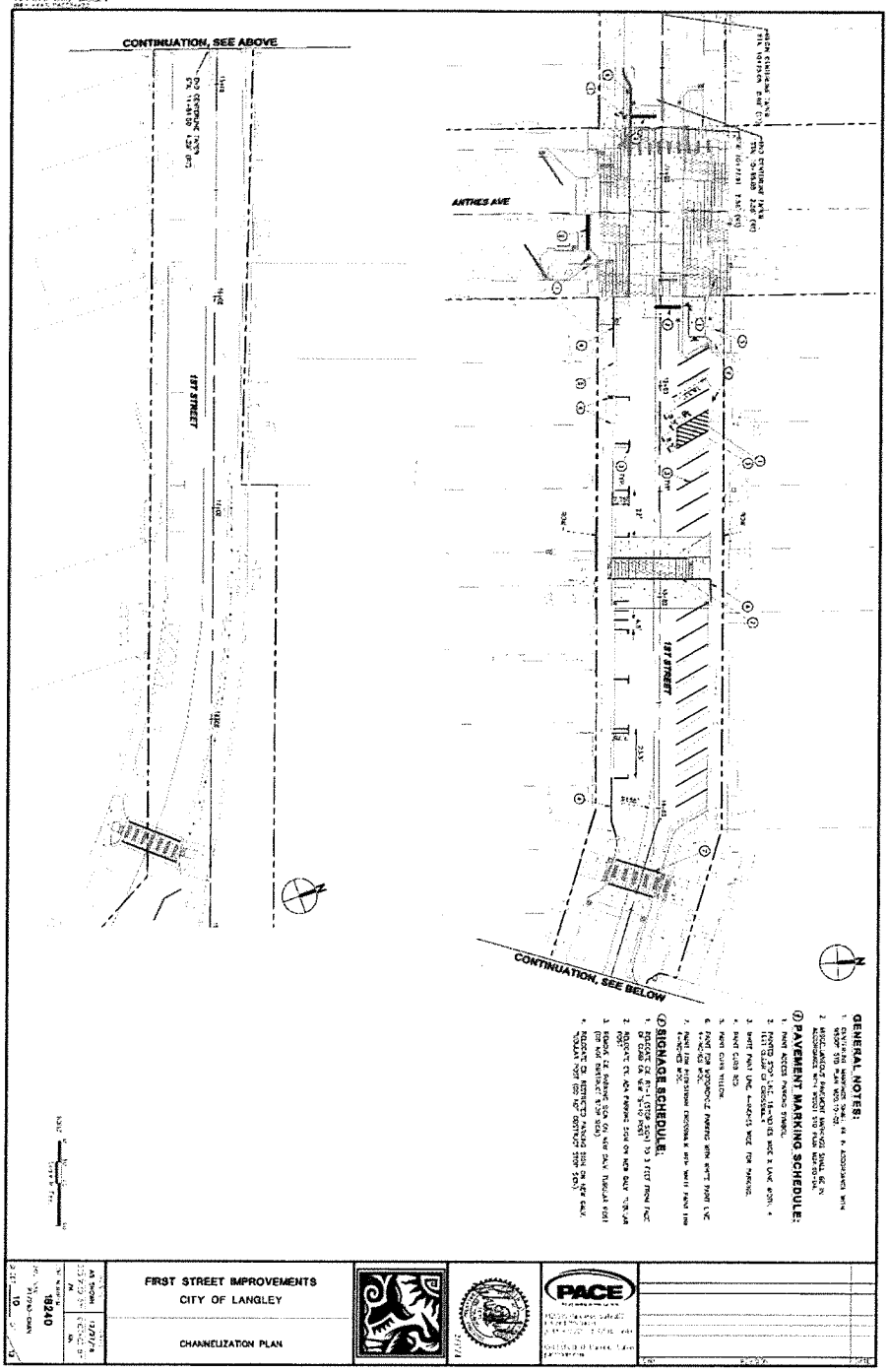
JOB NUMBER
18240

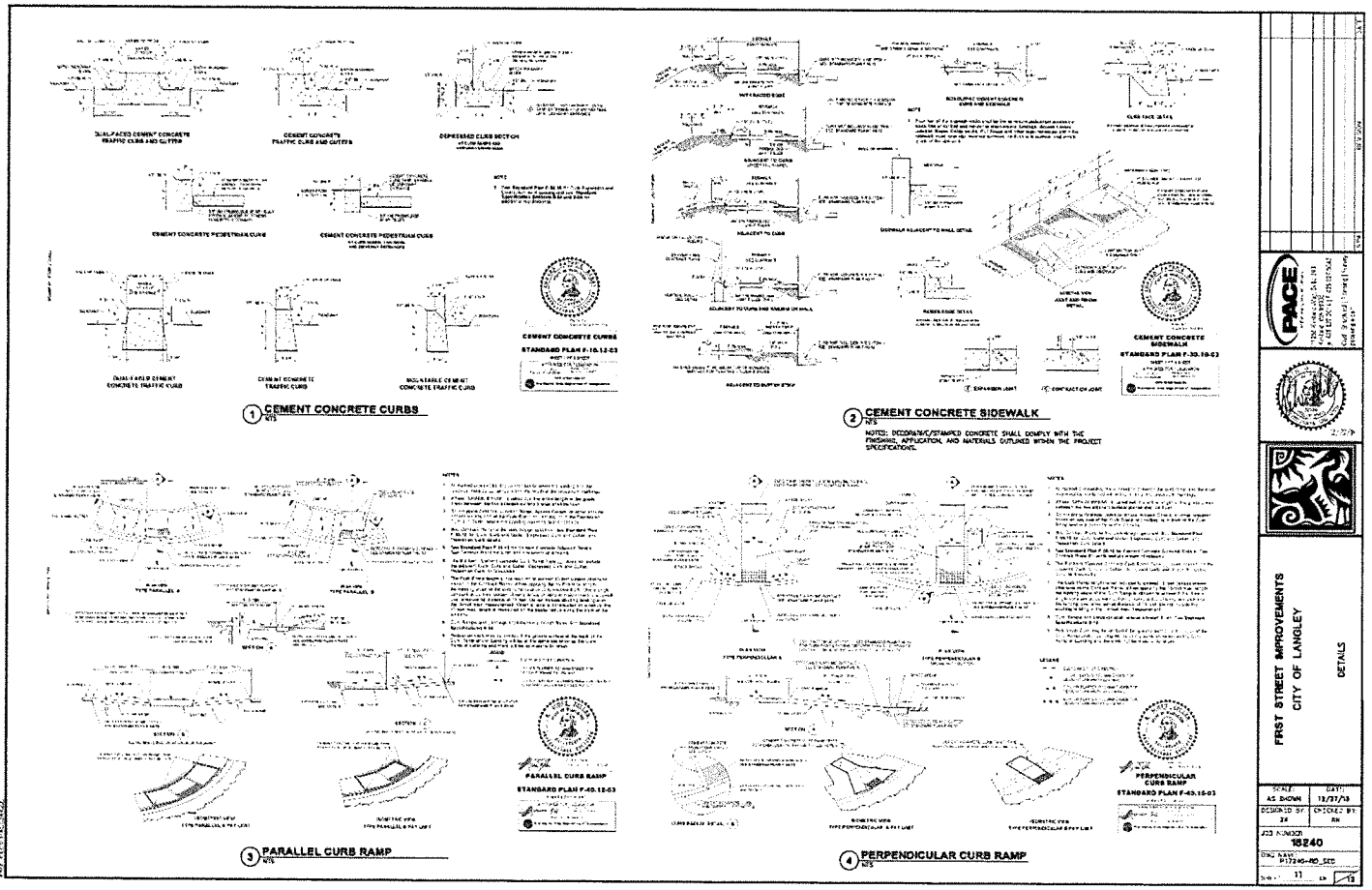
DWG NAME
P17240-PAV_DET2

SHEET 8 OF 13

9 (39)


LANE WIDTH
PLAN VIEW
SLAB THICKNESS (D)
A
ELEVATION VIEW
HMA TRANSITION DETAIL
SECTION VIEW
LONGITUDINAL CONTRACTION JOINT
SECTION VIEW
TRANSVERSE CONTRACTION JOINT
PCCP TO PCCP
LONGITUDINAL CONSTRUCTION JOINT
SECTION VIEW
TRANSVERSE CONSTRUCTION JOINT
SECTION VIEW
PACE
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
CONCRETE PANEL DETAILS
AS SHOWN
12/27/18
ZK
RN
18240
P17240-PAV_DET2
9


CONTINUATION, SEE ABOVE
1ST STREET
ANTHES AVE
1ST STREET
CONTINUATION, SEE BELOW
GENERAL NOTES:
PAVEMENT MARKING SCHEDULE:
SIGNAGE SCHEDULE:
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
CHANNELIZATION PLAN
PACE
18240


1 CEMENT CONCRETE CURBS
2 CEMENT CONCRETE SIDEWALK
NOTES: DECORATIVE/STAMPED CONCRETE SHALL COMPLY WITH THE FINISHING, APPLICATION, AND MATERIALS OUTLINED WITHIN THE PROJECT SPECIFICATIONS.
3 PARALLEL CURB RAMP
4 PERPENDICULAR CURB RAMP
PACE
FIRST STREET IMPROVEMENTS
CITY OF LANGLEY
DETAILS
AS SHOWN
18240

City of Langley

Planning Department

Staff Report

To: Council
From: Brigid Reynolds, Director of Community Planning BR
Date: January 22, 2019
Re: Ordinance No. 1051 and related Housing Code Amendments

Purpose

To grant second reading to Ordinance No. 1051 Housing Code amendments including the related exhibits.

Background

The purpose of the proposed code amendments is to reduce barriers and to facilitate the construction of new and different types of housing to provide much needed housing within the City.

The Planning Advisory Board has been discussing and reviewing proposed code amendments since February 2017.

A public open house was held June 27, 2018 and comments were generally supportive of the proposed amendments. A survey was sent to residents and businesses with their utility bill in July 2018 and the responses (142) were also supportive.

As required by State statute the City's SEPA Responsible Official issued a Determination of Non-significance (DNS) on November 9, 2018, following review of the proposed code amendments and environmental checklist and the code amendments were submitted to the Department of Commerce for an expedited review on October 11, 2018 and confirmation was received on October 24, 2018.

Summary of Revisions

The following section summarizes the proposed amendments to the Municipal Code.

Ch. 18.01.040 Definitions
New and amended definitions for:

- Accessory Dwelling Unit
- Boardinghouse
- Community Building
- Dwellings, multi-family
- Dwellings
- Long term rental
- Manufactured Home Siting Standards
- Recreational Vehicle
- Tiny Home

- Workforce Housing

Ch. 18.04 Innovative Permanently Affordable Housing
- Amended to add rental housing. Originally the code only referenced home ownership.
- Removed notice and public hearing specifics and referred to Ch. 18.36.020

Ch. 18.06/18.07 and 18.08 – All three RS zones
- Removed regulations related to ADUs and moved them to amended Ch. 18 .22.155
- Added density table for ADUs
- Permitted Tiny Homes as a SFD

Ch. 18.09 Land Use Table
- Boardinghouse – change from Conditional Use to Permitted Use
- Tiny Home – identified three scenarios for Tiny Home development and added the zone district where they are permitted.

Ch. 18.22.030 Yards
Removed regulations related to ADUs and moved them to amended Ch. 18.22.155

Ch. 18.22.155 Accessory Dwelling Units
- Revised to include all regulations for ADUs
- Reduced minimum size to 150 SF
- Permit one attached and one detached ADU on lot with SFR where served by sewer.
- Permit one ADU on lot with duplex where served by sewer
- Permit one ADU permitted on lot served by septic.
- No ADU on lot with duplex where on septic.
- Reduce parking requirements to one stall for two ADUs. No additional parking for one ADU.
- Added regulations for Tiny Home as an ADU which are consistent with ADU regulations.
- Establishes conditions to legalize pre-existing but not permitted ADU and established a 24-month amnesty.

Ch. 18.22.280 Boardinghouse
- Added new section for this use including conditions of use

Ch. 18.22.290 Tiny Home (multi-family)
- Added new section for Tiny Home multi-family type development
- One Tiny home requires 1200 sf of and minimum lot size is 5000 SF is required to create a TH MF.
- Minimum of three TH and maximum of 12
- Minimum of 100 SF of open space is required per unit.
- One parking stall per unit.
- Must be on sewer and may have one utility connection when using CH. 18.04
- Not permitted to be used as short-term rental or tourist accommodation.

Ch. 18.22.200 Clustered Residential Development
- Permit ADUs

Ch. 18.35.030 Design Review Board (Scope)

- Remove requirement for detached ADUs to be reviewed by the DRB.

Ch. 18.36.025 Administration – Permit applications requiring administrative action

- Remove ADU from requiring notice of application
- Add Boardinghouse to requiring notice of application.

Ordinance No. 1051 and related exhibits are located in Attachment No. 1.

Conclusion

The PAB has prepared the Code Amendments, undertaken the required steps for the preparation and approval of the proposed ordinance and code amendments.

The Council's decision is the City's final action on the proposed code amendments. The decision may be appealed to the Growth Management Hearings Board.

Council adopted the findings of fact, conclusions of law and PAB recommendation and granted first reading at its meeting on January 7, 2019.

Recommendation

That Council grant second reading and adopt Ordinance No. 1051 and the related zoning code amendments.

Attachment No. 1

CITY OF LANGLEY

ORDINANCE NO. 1051

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON AMENDING CHAPTER 18 OF THE LANGLEY MUNICIPAL CODE TO ADD NEW SECTIONS TO CHAPTER 18.22 FOR ACCESSORY DWELLING UNITS; TO ADD A NEW CHAPTER 18.22.260 FOR TINY HOMES; AND TO AMEND CHAPTER 18.04 PERTAINING TO INNOVATIVE PERMANENTLY AFFORDABLE HOUSING PROJECTS TO ADD CLARIFYING LANGUAGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990 to guide the development and adoption of comprehensive plans and development regulations for those cities required to plan under RCW 36.70A.040; and

WHEREAS, the City of Langley is a non-charter optional municipal code city as provided in Title 35A RC, incorporated under the laws of the state of Washington, and is required to plan under the GMA; and

WHEREAS RCW 36.70A.020(4) encourages cities and counties to adopt policies that foster the availability of affordable housing to all economic segments of the population; and

WHEREAS RCW36.70A.040(3)(d), (4)(d) provides these adopted policies may be implemented by adoption of relevant development regulations; and

WHEREAS the Langley City Council adopted its Comprehensive Plan on March 5, 2018; and

WHEREAS the Comprehensive Plan contains numerous goals and policies to encourage alternative and where possible more affordable housing options including but not limited to: Goals LU-4, H-1, H-2 and H-4 and Policies LU-4.4, LU-4.8, H-1.1, H-1.2, H-1.3, H-2.1, H-2.2, H-2.3, H-4.1, H-4.3, H-4.4, H-4.5, S-8.1, and UCF-3.4; and

WHEREAS the Langley City Council maintains regulations for zoning and development at Title 18 of the Langley Municipal Code ("LMC"); and

WHEREAS the Langley City Council tasked staff to research issues of housing affordability, and provide relevant information to guide the implementation of amended regulations to address these issues; and

WHEREAS findings from a community survey on housing matters indicated the lack of workforce housing has negatively affected local businesses' ability to recruit and retain employees; and

WHEREAS for the period between 2011 and 2015 the ratio of the median housing value in Langley is almost eight times the median household income. The highest in Island County and almost double that of Washington State; and

WHEREAS 70% of respondents to a 2018 community housing survey stated there are not enough housing options for renters and homeowners in Langley; and

WHEREAS infill housing makes efficient use of city infrastructure; and

WHEREAS the proposed amendments to the City's development and zoning regulations designed to address the aforementioned issued set forth herein are deemed to be consistent with the Langley Comprehensive Plan; and

WHEREAS the Planning Advisory Board (PAB) has been reviewing these proposed amendments since February 2017; and

WHEREAS the PAB at its meetings of May 2, 2018, August 1, 2018 and October 3, 2018 approved the amendments to be forwarded to Council to begin formal adoption proceedings; and

WHEREAS the City held a publicly noticed open house on June 27, 2018 to receive public input into the proposed code amendments; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on November 9, 2018, following review of the proposed code amendments and environmental checklist; and

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its code amendments to the Department of Commerce for an expedited review on October 11, 2018, and received confirmation from the Department of Commerce on October 24, 2018, of receipt of the required notice; and

WHEREAS, after due and proper notice, the Planning Advisory Board held a public hearing on January 2, 2019 to accept public comments on the code amendments. Over 20 people attended the public hearing and provided comments as reflected in the public hearing minutes; and

WHEREAS, the PAB considered the staff report and public comment received prior to issuing its findings of fact and recommendation to the City Council; and

WHEREAS, on January 2, 2019, the PAB issued written Findings of Fact and Recommendation ("Recommendation"), attached hereto as Exhibit A, wherein the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on January 7, 2019, the City Council in an open public meeting reviewed the recommendation of the PAB;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings, Adopted. The City Council adopts the Planning Advisory Board's Findings of Facts attached hereto as Exhibit A, as their own findings and conclusions pertaining to these issues.

Section 2. LMC 18.01.040, Amended. Langley Municipal Code 18.01.040 is hereby amended to read as is attached hereto as Exhibit B.

Section 3. Ch. 18.04 LMC, Amended. Langley Municipal Code Chapter 18.04 at subparts 020-060 is hereby amended to read as is attached hereto as Exhibit C.

Section 4. Ch. 18.06 LMC, Amended. Langley Municipal Code Chapter 18.06 at subparts 050, 060, 090, and 095 is hereby amended to read as is attached hereto as Exhibit D.

Section 5. Ch. 18.07 LMC, Amended. Langley Municipal Code Chapter 18.07 at subparts 050, 060, 090, and 095 is hereby amended to read as is attached hereto as Exhibit E.

Section 6. Ch. 18.08 LMC, Amended. Langley Municipal Code Chapter 18.08 at subparts 050, 060, 090, and 095 is hereby amended to read as is attached hereto as Exhibit F.

Section 7. LMC 18.09.010 Land Use Table, Amended. LMC 18.09.010 Land Use Table, is hereby amended to read as is depicted at Exhibit G hereto, which is incorporated herein by reference.

Section 8. LMC 18.22.030, Amended. Langley Municipal Code 18.22.030 is hereby amended to read as is attached hereto as Exhibit H.

Section 9. LMC 18.22.155, Adopted. Langley Municipal Code 18.22.155 is hereby repealed and replaced to read as is attached hereto as Exhibit I.

Section 10. LMC 18.22.280, Adopted. New Langley Municipal Code 18.22.250 is hereby adopted to read as is attached hereto as Exhibit J.

Section 11. LMC 18.22.290, Adopted. New Langley Municipal Code 18.22.260 is hereby adopted to read as is attached hereto as Exhibit K.

Section 12. LMC 18.22.200, Amended. Langley Municipal Code 18.22.200 is hereby amended to read as is attached hereto as Exhibit L.

Section 13. LMC 18.34.030, Amended. Langley Municipal Code 18.34.030 is hereby amended to read as is attached hereto as Exhibit M.

Section 14. LMC 18.36.025, Amended. Langley Municipal Code 18.36.025 is hereby amended to read as is attached hereto as Exhibit N.

Section 16. Severability. 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 17. Codification of Amendments. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the amendments, and publish the amended code.

Section 18. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five days from the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS ____ DAY OF _____, 2019.

CITY OF LANGLEY

_____

Tim Callison, Mayor

APPROVED AS TO FORM

_____

Michael R. Kenyon, City Attorney

ATTEST

_____

Debbie L. Mahler, City Clerk

Exhibit A
Findings of Facts and Conclusions of Law

The following report details the findings of facts and conclusions of law for Ordinance No. 1051 Housing Code Amendments.

Suggested Findings of Facts

1. The Washington State Legislature passed the Growth Management Act (GMA) in 1990 to guide the development and adoption of comprehensive plans and development regulations for those cities required to plan under RCW 36.70A.040.
2. RCW 36.70A.020(4) encourages cities and counties to adopt policies that foster the availability of affordable housing to all economic segments of the population.
3. RCW36.70A.040(3)(d), (4)(d) provides these adopted policies may be implemented by adoption of relevant development regulations.
4. The Langley City Council adopted its Comprehensive Plan on March 5, 2018.
5. The Comprehensive Plan contains numerous goals and policies to encourage alternative and where possible more affordable housing options including but not limited to: Goals LU-4, H-1, H-2 and H-4 and Policies LU-4.4, LU-4.8, H-1.1, H-1.2, H-1.3, H-2.1, H-2.2, H-2.3, H-4.1, H-4.3, H-4.4, H-4.5, S-8.1, and UCF-3.4.
6. The Planning Advisory Board (PAB) has been reviewing the code amendments as proposed in Ordinance No. 1051 since February 2017.
7. A community survey regarding housing related matters was undertaken in the summer of 2018 and the findings indicated the lack of workforce housing has negatively affected local businesses' ability to recruit and retain employees. In addition, 70% of respondents stated there are not enough housing options for renters and homeowners in Langley.
8. For the period between 2011 and 2015 the ratio of the median housing value in Langley is almost eight times the median household income. The highest in Island County and almost double that of Washington State.
9. Infill housing makes efficient use of city infrastructure.
10. The PAB at its meetings of May 2, 2018, August 1, 2018 and October 3, 2018 approved the amendments to be forwarded to Council to begin formal adoption proceedings.
11. The City held a publicly noticed open house on June 27, 2018 to receive public input into the proposed code amendments.
12. In accordance with RCW 36.70A.106, the City submitted its code amendments to the Department of Commerce for an expedited review on October 11, 2018, and received confirmation on October 24, 2018, of receipt of the required notice
13. On November 9, 2018 the SEPA responsible official issued a Determination of Non-

Significance. No appeals were filed.

14. On December 14, 2018 a Notice of Public Hearing was posted at City Hall, the Library, the Post Office and on the City's website. The notice was also published in the SW Record on December 19 and 26, 2018.
15. The Planning Advisory Board (PAB) heard public testimony at a public hearing on January 2, 2019. Approximately 20 people attended. Four written submissions were made and were read out during the hearing. These are attached in Attachment No. 1. Five people provided their oral testimony at the hearing. A summary of the verbal comments is attached as Attachment No. 2. The PAB closed oral testimony at the end of the hearing on January 2nd.

Conclusions of Law

Based on the above Findings of Fact, the following Conclusions of Law have been made:

1. LMC Ch. 18.20.080 grants the PAB the responsibility to review and make recommendations to the City Council for the development or revision of land use regulations, including the zoning code and Shoreline Master Program.
2. Council has the authority to approve or deny the proposed code amendments pursuant to LMC. Ch. 18.36.050.B
3. The amendments are consistent with the purposes of the Comprehensive Plan as identified in item no. 5 above.
4. The amendments are consistent with the purposes of Chapter 18 title as per Ch. 18.01.010 (Note – not all the purposes are suitable to evaluate zoning code amendments)
    a. To promote the health, safety and general welfare as they reduce barriers to enable the construction of more housing within the City.
    b. To preserve the small-town character of Langley and direction for orderly growth and development, together with flexibility to respond to changing economic circumstances. As the proposed amendments can facilitate infill housing construction and provide housing units for people seeking housing within the City of Langley.
    c. There have been significant changes in the circumstances regarding housing in Langley and South Whidbey to warrant the amendments as detailed in Finding of Facts item nos. 7 and 8 above.
5. Following the open record public hearing on January 2, 2019 on the proposed code amendments, the Planning Advisory Board recommends that City Council adopt the findings of fact, conclusions of law, ordinance no. 1051 and related exhibits.
6. Any finding of fact deemed to be a conclusion of law is hereby adopted as such.
7. Any conclusion of law deemed to be a finding of fact is hereby adopted as such.

Recommendation

Following the close of the hearing and discussion by the PAB, the Board recommends the public hearing testimony, facts of findings report and code amendments for forwarded to Council for its consideration of first reading of Ordinance No. 1051.

Attachment No. 1
Written Submissions

Brigid Reynolds

From: teresa hess <shojunteresa@gmail.com>
Sent: Wednesday, January 02, 2019 1:45 PM
To: Planning@langleywa.org
Subject: ADU Zoning and Tiny Houses

Hi there--

My name is Teresa Hess and I am a resident of Langley, residing on 5th Street.

I am writing to express my full support of the improvements to the ADU zoning legislation and to the new Tiny House legislation.

Langley is a wonderful place to live and more people deserve access to affordable housing on the island, and in Langley in particular.

I believe the improvements to the ADU zoning and the new Tiny House legislation will provide more necessary housing options to young people, those in need, artists, and in particular to those who work in Langley and support the tourist industry and the economic base of our town.

Thank you for considering my statement of support on these legislations,
Teresa Hess

Brigid Reynolds

From: Verrall Hoover <verrallhoover@gmail.com>
Sent: Tuesday, January 01, 2019 12:29 PM
To: Planning@langleywa.org
Subject: ADU and Tiny House Rules

I am very much in favor of legislation that would allow for ADU and Tiny House development on Whidbey Island and Langley in particular. There is a significant need for affordable housing that these small dwellings could help meet. Well placed and well built ADUs and Tiny Houses would not detract from the sense of neighborhood that we all desire.
V Michael Hoover
130 5th St A201
Langley

Brigid Reynolds

From: Bruce Kortebein <bkort@whidbey.com>
Sent: Tuesday, January 01, 2019 10:37 PM
To: PAB@Langleywa.org
Subject: Proposed Development Changes

Development changes are being considered by the Planning Department and the PAB: ADU's, and Tiny Homes are being proposed to be allowed if they meet Conditional Use requirements.

Also being proposed are Tiny Homes without Conditional Use requirements. To render Conditional Use unnecessary is to set aside the PAB and Council's sworn responsibility to promote and defend the health, safety, and welfare of Langley residents and to protect the Langley environment.

The proposal renders unequal application of the current Langley codes. Without development standards such as the following, discerning evaluation becomes irrelevant:

Site planning
design review
Landscape requirements and tree retention
Open public meetings
Categorical exemptions
Appeals and public notice processes
Development review
Setbacks, clearances, property lines, wells, water lines, etc.
Storm water control
Applicable development standards
Modifications
Maintenance responsibilities
Loss of citizen's right to demand protection of fragile environments

There will be a more logically considered application of Council's responsibility to meet the needs of affordable housing in Langley but not without the requirement of intelligent planning that Conditional Use brings to the development table.

Brigid Reynolds

From: Linda Beeman <lbeeman@whidbey.com>
Sent: Monday, December 31, 2018 9:55 AM
To: pab@langleywa.org; council@langleywa.org
Subject: conditional use zoning for tiny home developments

I understand that the Planning Advisory Board and the City Council are considering elimination of conditional use zoning for developments of tiny homes on acreage. Given the fragile nature many of Langley's acreages, I urge members to retain conditional use protocols to avoid unintended damage to other properties.

We all want to accommodate affordable housing in our community, but we need to proceed sensibly toward that end. Thank you for your consideration.

Linda Beeman

637 Edgecliff Road

Langley, WA 98260

Attachment No. 2
Summary of Public Hearing Comments

The public hearing was opened by Thomas Gill at 3:02pm. Brigid gave a brief overview of the zoning amendments and the chapters proposed to be amended. Thomas reviewed the discussion guidelines and called for citizen comments.

Coyla Shepard of THINC wished to represent the employers and employees in need of housing. She was concerned about the increasingly high costs of housing and STR abundance in the community. She was grateful for the proposed new amendments.

Nancy Horan of Edgecliff Drive was concerned that changing conditional uses to permitted uses would remove additional oversight and negatively impact critical areas such as the bluff and wetlands. She was particularly concerned about multifamily housing. Brigid clarified that the Shoreline Master Plan and Ch 16 of the Langley Municipal Code was designed to protect critical areas. She added that any multi-family development is required to be connected to sewer and any application must address all other relevant regulations in the LMC.

Shelly Moore of the South Whidbey Homeless Coalition spoke in favor of affordable housing for renters. She added that the transition housing located on Camano Dr. has a 90 day maximum stay and it is often difficult for people to find housing within that timeframe in order that they can transition into their own home.

Judy Thurston of the South Whidbey Homeless Coalition gave a brief history of the Coalition and their work. The Coalition is very embracing of the proposed amendments.

Coyla Shepard gave examples of workers such as chefs, servers, and clerks who are living or who have lived in House of Hope as they are being priced out of housing.

Brigid read the comments submitted in writing from Teresa Hess, Verrall Hoover, Bruce Kortebein and Linda Beeman

Rhonda asked Brigid to share that she was in support of the amendments. However, she does not agree with multifamily tiny homes being a permitted use, especially in the RS15000 and RS7200 zones. Rhonda recommends that this be a conditional use.

Brigid explained that conditional uses can create additional barriers in terms of time and cost for developers as they require an outside hearing examiner to review the application. Conditional uses are still permitted uses but require an additional review and approval process.

Vicki Holbakken expressed support for the amendments and did not wish to see more people priced off the island.

Thomas and Brigid clarified the need for conditional uses and the approval process. Tucker and JR gave examples of conditional uses increasing barriers to development in other places.

The public hearing was closed at 3:32pm.

Maralie recused herself to the audience. Each present PAB member commented on the results of the public hearing.

Burt: Expressed support for proposed amendments. He also wished to remind the audience that new housing and development is up to developers and landowners. The City only guides development by creating code.

JR: Thanked the commenters and attendees. Showed concerned for conditional uses in the code. He expressed confidence that staff reviews all applications against all relevant regulations in the Code.

Tucker: Was not convinced that a conditional use would protect bluff/critical areas. Establishing a use as a Conditional Use results in more barriers.

JR Fulton moved to bring public hearing results to Council and to recommend approval of the proposed housing code amendments and ordinance no. 1051. Seconded by Tucker.

All in favor.

FINAL Draft Consolidated Housing Code Amendments

2019-01-07

Words that have a ~~strikethrough~~ are recommended to be deleted.
Words that are underlined are recommended additions.

Exhibit B

Chapter 18.01.040 Definitions

"Accessory dwelling unit" means a room or set of rooms either in a single-family residence or a separate building on the same lot as a single-family or duplex residence that has been designed or configured to be used as a separate dwelling unit. The accessory dwelling unit generally includes living, sleeping, kitchen and bathroom facilities and has a lockable entrance door. A Tiny Home may serve as an accessory dwelling unit subject to the additional requirements in this Title.

"Boardinghouse" means a single-family dwelling unit in which not more than four roomers, lodgers or boarders are housed and/or fed for compensation on a long-term rental basis and there are no cooking facilities in rented sleeping rooms. Boardinghouse does not include adult family home, clean and sober facility, rest home or convalescent home or single-family dwelling used as a short-term rental.

"Community Building" means a building that is owned in common by all residents of that community or neighborhood and may include a meeting room, laundry facilities, a dining area, kitchen and other shared facilities.

Development, Multifamily. "Multifamily Development" means a development of three or more dwellings on the same property and designated for occupancy by three or more families living independently of each other in separate dwelling units. This includes Tiny Home (Multi-family) as regulated in LMC 18.22.260.

"Dwelling" means a building designed exclusively for residential purposes, including single ~~one~~-family, two-family (duplex) and multiple-family dwellings.

Dwellings, Types Of.

1. Dwelling, ~~One~~ Single-Family. "~~One~~ Single-family dwelling" means a detached building designed for occupancy by one family, providing complete housekeeping facilities for one family and containing one dwelling unit. A manufactured home ~~may be~~ is considered a single ~~one~~-family dwelling ~~if~~ when sited per "manufactured home siting standards."

Dwelling, One-Family (Attached). "Single ~~One~~-family dwelling (attached)" means a building designed for occupancy by one family on an individually owned lot where the building abuts one or more lot lines and shares a common wall with an adjoining dwelling unit(s). Also known as "townhouse."

2. Dwelling, Two-Family (Duplex). "Two-family (duplex) dwelling" means a detached building, designed for occupancy by two families living independently of each other and containing two dwelling units.

~~3. Dwelling, Multifamily. "Multifamily dwelling" means a detached building designed for occupancy by three or more families living independently of each other and containing three or more dwelling units.~~
3. Dwelling, Multifamily. "means a building or group of buildings on one lot, containing separate dwelling units for three or more families, having separate or joint entrances, and including apartments, group homes, row houses, townhomes, tiny homes, and condominiums. Multi-family dwelling units may or may not be attached. This does not include Tiny Homes on a lot with an existing single family or two-family (duplex) dwelling."

~~"Guest houses" means an accessory, detached building designed exclusively for residential purposes and without any cooking facilities; situated on the same parcel as a one-family dwelling; for the use of visitors as nonpaying guests of the one-family dwelling; which cannot be segregated or separately leased, rented, sold or transferred, given or otherwise conveyed unless the parcel is of sufficient size to meet density, platting and other city code requirements for a separate legal lot; of not more than 800 square feet; which provides one parking space in addition to those required for a one-family dwelling; and there shall be no more than one guest house per parcel or lot.~~

"Long term rental" means the rental of a room or dwelling unit for residential use for a period of more than thirty (30) days.

~~"Multifamily dwelling" means a building containing three or more dwelling units.~~

~~"Recreational Vehicle" means a motor home or trailer less than 35 feet in length or a pickup-mounted camper designed for temporary housing.~~

Manufactured Home Siting Standards. A manufactured home ~~may be allowed~~ is permitted to be placed within any residential zone that ~~allows~~ permits single-family homes, provided the following conditions are met:

1. The home must be placed on a permanent foundation;

2. If applicable, skirting must be provided;

~~3. The home shall have a pitched roof and shall be made of either composition, shakes or shingles;~~

3 ~~4~~. All requirements of this title and other applicable regulations must be met.

"Recreational vehicle (RV)," means any motor home, vacation trailer, camping trailer, camper, conversion van, or makeshift vehicle capable of movement on a roadway, which will afford a degree of shelter for humans.

"Tiny Home" means a small dwelling unit on a foundation with a minimum size of 150 square feet and no more than 400 square feet of habitable floor area and shall comply with all applicable building design regulations stated in this Code, as well as those regulations adopted by reference herein. A Tiny Home may be an Accessory Dwelling Unit and shall comply with all regulations for Accessory Dwelling Units. Tiny homes that meet all applicable regulations may be utilized as the following:

1. Tiny homes as a Single-Family Dwelling Unit. See LMC 18.06, 18.07 and 18.08.
2. A Tiny Home may be used as an Accessory Dwelling unit on the same lot as a single-family or duplex residence and shall comply with all regulation for Accessory Dwelling Units. See LMC 18.22.155.
3. Tiny Home (Multi-family). See LMC 18.22.260.

Townhouse. See the definition of "dwelling, single ~~one~~-family (attached)."

"Work force housing" means housing that is affordable for households with incomes between 80% and 120% (or less) of the Area Median Income (AMI), regardless of tenure.

Exhibit C

Ch. 18.04
Innovative Permanently Affordable Housing Projects

18.04.010 Authority and purpose.
18.04.020 Affordable housing defined.
18.04.030 Project application requirements and incentives.
18.04.040 Procedures.
18.04.050 Annual reporting requirements.
18.04.060 Repealed.

18.04.010 Authority and purpose.

A. Authority. Both the Growth Management Act (Chapter 36.70 RCW) and the Housing Policy Act (Chapter 43.185B RCW) require the city to provide housing opportunities for all economic segments of the community. Similarly, the city's comprehensive plan encourages revisions to the city's development regulations to increase the supply of affordable housing. This chapter will allow the use of alternative development standards and processes that are not currently allowed under existing land use regulations, while protecting residential character and maintaining overall consistency with the neighborhood plans and the goals and policies of the Langley comprehensive plan.

B. Purpose. In accordance with the directives of the Growth Management Act, Housing Policy Act, and the city's comprehensive plan, the purpose of this chapter is to facilitate the construction of innovative affordable homes by organizations that can demonstrate, to the city council's satisfaction, after review and approval by the planning director or his/her designee, an ability to finance, manage, and monitor affordable home sales and rentals to assure permanent affordability in accordance with the guidelines contained herein.

C. Goals. The goals of this chapter are:

1. To encourage innovative building design in housing projects by:

a. Increasing the supply of affordable housing and the choice of housing styles available in the community.

b. Promoting diversity in housing affordability and choice by encouraging smaller and more varied home sizes and mixes of income levels of residents.

c. Promoting high quality and environmental design.

2. To encourage the use of innovative site development practices and green building practices by encouraging the use of conservation design methods and principles such as low-impact development

techniques, green building materials, water and energy conservation, and mitigation that offsets impacts to biodiversity.

3. In general:

a. To help identify any zoning code amendments that are necessary to support the development of innovative housing choices in Langley.

b. To identify effective incentives to encourage green building and low-impact development standards.

4. The demonstration projects developed under this chapter shall use innovative design and development techniques to achieve these goals. (Ord. 1027 § 1, 2016; Ord. 969 § 2 (Att. B), 2012)

18.04.020 Affordable housing defined.

Purchasers and renters of affordable homes constructed under this chapter shall meet the following requirements:

A. Annual Income. All purchasers and/or renters shall be from a household whose annual income, at the household's initial occupancy of the residence, is middle income or less (as defined under subsection (D) of this section), as adjusted by family size, for Island County, Washington, based on the most recent census data or other verifiable source as determined by the city.

B. Housing Expenses. The monthly expenditure by a purchaser or renter for housing including mortgage payment or rent, insurance, taxes and utilities (water and sewer) shall not exceed 38 percent of the gross household income at the time of purchase and the amount for monthly mortgage payment shall not exceed 30 percent of gross household income. All other variable living expenses associated with the resident's occupancy shall not be a factor in the calculation of affordability.

C. Affordable Housing. Federal guidelines define affordable housing as decent, quality housing that does not exceed 30 percent of a household's gross monthly income for rent or mortgage and utility payments. Island County is ranked as the eighth least affordable area in Washington State for housing and Langley is the most expensive area to live on Whidbey Island.

D. Classification of Income Groups. The United States Department of Housing and Urban Development (HUD) and the state of Washington classify household income groups as follows: Very low income: households below 50 percent of the area ~~average~~ median income. Low income: households between 50 and 80 percent of the area ~~average~~ median income. Lower income: households between 81 and 95 percent of the area ~~average~~ median income. Middle income: households between 96 and 120 percent of the area ~~average~~ median income. "Median household income" means the amount calculated and

published by the HUD each year for the Island County statistical area as the median household or family income, adjusted by HUD for household size. (Ord. 1027 § 1, 2016; Ord. 969 § 2 (Att. B), 2012)

18.04.030 Project application requirements and incentives.

A. Density Increases. ~~Earned increased density of up to 100 percent over the otherwise allowable density in the applicable residential zone may be granted to a project~~. A density increase of one unit for each perpetually affordable unit ~~is allowed.~~ may be granted to an affordable housing project per the requirements outlined in item B of this section. Earned density increases are not to exceed a 100 percent increase over the otherwise allowable density in the applicable residential zone.

B. Project Applicant. A project applicant under this chapter must meet/comply with the following:

1. The project applicant shall be, create or contract with an organization that has as its purpose the creation and retention of permanently affordable, income qualified home-ownership and/or rentals

2. The organization can demonstrate experience in providing affordable housing. An organization that can demonstrate experience in providing housing and a mission statement of its intent to use that experience toward achieving the goal of providing permanently affordable housing shall be deemed to have met this requirement.

3. The organization can demonstrate the ability to employ a mechanism to retain all of the units as permanently affordable to income-qualified buyers as defined by Section 18.04.020.

4. The organization can demonstrate an ability and commitment to submit an annual report to the city council documenting all residential units, past and pending sales, rental history ~~and~~ or home ownership by qualified renters or home buyers.

5. The organization can demonstrate that the project, including all common areas, will be properly maintained over time.

C. Single-Family or Multi-Family Home Ownership. Projects that create single-family or multi-family residences that are individually owned by their occupants must have controls in place, subject to approval by the planning director or his/her designee, to ensure that the residences remain occupied by income qualified residents.

D. Single-Family or Multi-Family Home Rental. Projects that create single-family or multi-family residences that are rented by their occupants must have controls in place, subject to approval by the planning director or his/her designee, to ensure that the residences remain rented by income qualified tenants.

E. Guarantee of Permanent Affordability. Applicants that have been conditionally granted an affordable housing density bonus and/or incentive(s) shall establish controls, subject to approval by the city attorney, to ensure that the project's single-family or multi-family residences remain affordable for a minimum of fifty years ~~in perpetuity~~ in accordance with the definition of affordable housing in Section 18.04.020. All such controls shall be recorded in the title records of Island County. The controls may take various forms including:

1. Continued ownership of the land by the project applicant with the occupants of the single-family or multi-family residences leasing the land back from the project applicant;

2. A deed/subsidy covenant, purchase/sale agreements, or other similar mechanisms, which require that the residences be sold only to qualified purchasers who meet the requirements of Section 18.04.020;

3. A requirement that the project applicant can only transfer the land to another entity that meets the requirements of subsection (B) of this section; and/or

4. Other methods approved by the city attorney to ensure that the project's single-family or multi-family residences remain permanently affordable in accordance with the definition of affordable housing.

F. Project Location. Affordable single-family homes developed under this chapter must be located in RS zone districts ~~residential single-family zone~~ and affordable multi-family homes developed under this chapter must be located in zone districts where multi-family housing is permitted, within the city of Langley.

G. Design Review. All projects are subject to design review. Housing projects receiving earned increased density under this chapter must comply with the design review process and site location criteria for multi-family residential development in this title to protect, maintain, or enhance neighborhood character and compatibility.

H. Request for Modification to the Application of Development Regulations.

1. Project applicants may request modification of the application of the following development regulations; provided, that the project otherwise complies with applicable Washington State laws and other applicable development regulations and provisions of the Langley Municipal Code:

a. Minimum lot size;

b. Minimum street frontage;

c. Minimum front, side, and rear yard setbacks;

d. Minimum parking requirements;

e. Maximum lot coverage;

f. Minimum usable open space; and/or

g. Other regulations to allow demonstration of innovative approaches to permanently affordable housing, energy conservation, low-impact development, and stormwater management.

2. The applicant shall describe each requested modification in writing and include detailed supporting documentation regarding the appropriateness of, and the need for, the modification. Requests for regulatory modification must accompany the preliminary plat, short plat, binding site plan, or boundary line adjustment or other application and must be noted on submitted site plans.

3. The planning director or his/her designee shall review the requested modification and reasons provided for the modification and provide a written recommendation to the decision-maker for the underlying application regarding whether to approve, approve with conditions, or deny the requested modification on the basis of whether the modification is consistent with the purpose and requirements of this chapter, does not threaten the public health, safety, or welfare and otherwise complies with applicable Washington State laws and other applicable development regulations and provisions of the Langley Municipal Code.

4. The decision-maker for the underlying application shall determine whether to approve, approve with conditions, or deny the requested modification as part of the decision on the underlying application.

(Ord. 1027 § 1, 2016; Ord. 969 § 2 (Att. B), 2012)

18.04.040 Procedures.

Projects applied for under this chapter shall follow the procedures listed below.

A. Pre-Application Conference. A pre-application conference with planning department staff and the project applicant is required before the city will accept an application under this chapter.

B. Neighborhood Meeting. An applicant is required to conduct a neighborhood meeting prior to the submittal of an application and after the pre-application conference. The director of community planning may provide standard notice formats and guidelines for conducting the meeting. The notice shall include a brief description of the project, date, time and location of the neighborhood meeting and name and phone number of the applicant or their representative. The applicant shall post the notice of the neighborhood meeting on the project site at least 14 days prior to the meeting and shall mail the notice at least 14 days prior to the meeting to:

1. The planning department with a copy of the mailing list;

2. The owner of the property as listed on the application;

3. Owners of property within 500 feet of the site boundary of the subject property as listed by the Island County assessor records;

4. Any neighborhood association registered with the planning department for the neighborhood in which the project is proposed, and for any neighborhood within 500 feet of the project site boundary; and

5. The local newspaper.

C. Submittal Requirements. The director of community planning shall establish submittal requirements and forms to be used for applications.

D. Determination of Complete Application. A complete application shall consist of the completed application form with all required information, a SEPA environmental checklist, if applicable, and any filing fee as established by the city council. If a subdivision of land is required, the preliminary plat, short plat, binding site plan, or boundary line adjustment shall also be submitted as part of the application. An application shall be reviewed by the director of community planning to determine whether it is complete under the procedures in Section 18.36.010.

E. Concurrent Review. The application for design review, subdivision, and project approval under this chapter shall be processed concurrently. The director's recommendation regarding design review shall be forwarded to the hearing examiner with the staff recommendation for the application.

F. Notice of Application. The planning department shall mail notice of application to:

1. The applicant;

2. The owner of the property as listed on the application;

3. Owners of property within 500 feet of the site boundary of the subject property as listed by the Island County assessor records;

4. Any neighborhood association registered with the planning department for the neighborhood in which the project is proposed, and for any neighborhood within 500 feet of the project site boundary;

5. Any person or organization that has filed a written request for notice with the planning and community development department; and

6. The local newspaper.

G. Date of Notice. The date of the notice of application shall be the date the notice is mailed.

H. Posted Notice. The applicant shall post one or more "notice of application" signs on the site or in a location immediately adjacent to the site that provides visibility from adjacent streets. The director shall establish standards for size, color, layout, materials, placement and timing of installation and removal of the signs.

I. Public Comment Period. The minimum comment period shall be 14 days following the date of notice of application.

J. Project Review. Complete applications shall be reviewed by planning director for consistency with the comprehensive plan, the regulatory requirements of the Langley Municipal Code, and the design review guidelines while also utilizing the evaluation methods under subsection (K) of this section. The director of community planning shall consult with the planning advisory board in open public meeting concerning the project application. Thereafter, the planning director shall submit a written recommendation to the hearing examiner to approve, approve with conditions, or deny the project.

K. Evaluation Method. Each project will be evaluated for innovation and achievement of the chapter goals using a number of factors. The evaluation factors are divided into three categories. If a project does not meet the affordable housing criteria or does not provide adequate assurances that the housing will remain affordable for a minimum of 50 years from the date of approval, it shall not be approved. If a project does not meet a required evaluation factor, the applicant is required to provide a written explanation about why the evaluation factor is not appropriate or cannot be met in this instance, but still should be approved. The director of community planning may consider other alternative site development or building design practices not mentioned below that may be proposed by the applicant but meet the goals of this chapter.

1. Housing Diversity.

a. Unit Type. Any attached or detached single-family or multi-family housing type ~~is allowed~~ as permitted in the Langley Municipal Code. The project can include a variety of unit types, for example, single-family, townhomes, flats, duplex, live/work, triplex, tiny houses, or accessory dwelling units.

b. Unit Size. The project is encouraged to include~~s~~ a variety of housing unit sizes that provide for a broad mix of income levels and family size.

c. Affordable Housing. The project includes housing units that are affordable to the spectrum of income levels as outlined in Chapter 18.04.020. Designated affordable housing shall remain affordable for a minimum of ~~at least~~ 50 years from the time of final inspection on the affordable unit. Units that are affordable to a range of income levels are encouraged.

2. Use of Innovative Site Development Practices.

a. Low-Impact Development. The project uses a low-impact development approach to stormwater management, unless determined to be inappropriate to the setting, through small-scale decentralized practices that infiltrate, evaporate and transpire rainwater, such as:

(1) Use of rain gardens and other water-absorbent plant growth media, with drought-tolerant native plants, combined with curb cuts and other proven low-impact development techniques for rainwater catchment and absorption, to lessen stormwater runoff. Invasive species shall not be planted.

(2) An earthen separation between the street and sidewalk and bioswales.

(3) Amended soils.

b. Impervious Surfaces. The project reduces impacts from impervious surfaces through use of techniques such as:

(1) Porous asphalt, paver blocks or large aggregate pervious concrete for parking and highly used bicycle and pedestrian areas;

(2) Lattice blocks (or similar products) that permit grass growth for fire lanes and overflow parking;

(3) Crushed stone or brick for lightly used pedestrian paths; and

(4) Recycled asphalt and recycled concrete in the base course of pervious and/or impervious surfaces.

c. Landscaping. Low maintenance landscaping that integrates a high proportion of native plants or drought-tolerant plants that are climate appropriate.

d. Common Open Space. The project provides connected common open space area set aside as active open space and designed and integrated into the project.

e. Transportation.

(1) The project design provides enhanced sensitivity to pedestrian travel.

(2) The project internally preserves existing informal, internal connection to external trail(s); or creates new connections, where appropriate, to facilitate the City's multi-modal transportation network. ~~implement the nonmotorized transportation plan (NMTP).~~

(3) The project reduces reliance on automobiles and trip counts and promotes alternative transportation and public transit.

(4) The project accommodates needs of alternative vehicles, such as parking and charging facilities for electric cars, by locating rechargeable electric vehicle (EV) parking in a conspicuous and preferred location, close to a main building entrance, or parking spaces designed for subcompact vehicles, such as Smart™ cars.

(5) The project integrates a parking space for a vehicle sharing program.

(6) The project minimizes the visual dominance of automobiles throughout the project.

3. Innovative Building Design Practice.

a. Alternative Energy. The project utilizes, at least in part, alternative power and heat technologies including, but not limited to, solar, passive solar, wind, and geothermal. All projects should preserve solar access.

b. Energy Efficiency. The project exceeds base energy efficiencies required by the building code by integrating energy efficient building design and appliances.

c. Water Efficiency. The project uses water efficiently by integrating low-flow water fixtures and/or water re-use systems (i.e., greywater for toilets, landscaping).

d. Green Building Materials. The project utilizes sustainable or "green" building materials internally and externally.

e. Accessibility. The project design incorporates access for residents of all ages and mobility inside and outside the home.

L. Notice and Public Hearings

Notification shall be undertaken in accordance with 18.36.020 and Public hearings shall be held in accordance with Ch. 18.36.060 and Ch.18.37.

~~Notice of Public Hearing. Notice of public hearing shall be provided in accordance with the following:~~

~~1. Notice of the public hearing for the application shall be published in a newspaper of general circulation at least 10 days prior to the hearing date.~~

~~2. Notice of the hearing shall be mailed at least 10 days prior to the hearing in the same manner as for the notice of application.~~

~~3. The notices shall contain a brief description and the general location of the proposal, the time, date and location of the hearing and information about the availability of the staff report.~~

~~M. Public Hearing. The hearing examiner shall conduct an open record public hearing on the proposal in accordance with the following:~~

~~1. The hearing shall be scheduled for a date no sooner than 15 days after the issuance of the SEPA determination (if any) regarding the proposal.~~

~~2. The public hearing shall be consolidated with the hearing (if any) on any preliminary application submitted for the project.~~

~~3. Any person may participate in the hearing by submitting written comments to the planning department prior to the hearing or by submitting written comments or making oral comments at the hearing.~~

~~4. The planning department shall transmit to the hearing examiner a copy of the department file on the application including but not limited to the application and all materials submitted by the applicant, all written comments received prior to the hearing, the SEPA threshold decision, and records regarding public notice of the application.~~

~~5. The hearing examiner shall create a complete record of the public hearing including all exhibits introduced at the hearing and an electronic sound recording of each hearing.~~

~~N. Hearing Examiner Decision. The hearing examiner shall make a written decision to approve, approve with conditions and/or modifications, or deny the project application based upon the record of the hearing and whether the proposed project is consistent with the purpose, goals and requirements of this chapter and other applicable provisions of the Langley Municipal Code.~~

~~O. Notice of Decision. A notice of decision shall be issued as provided in Section~~ 18.36.130. ~~(Ord. 1027 § 1, 2016; Ord. 969 § 2 (Att. B), 2012)~~

18.04.050 reporting requirements.

The owner(s) of a project receiving earned increased density or their designee must report ~~under this chapter~~ annually to city council regarding the status of the project. Information presented to city council annually shall include:

A. Total number of units in the project;

For owner-occupied units:

A~~B~~. Number of units that changed ownership during the past year;

B~~C~~. The purchase price of each unit that changed ownership;

C~~D~~. The steps taken by the owner to ensure that each unit that changed ownership was transferred at an affordable price in accordance with Section 18.04.020;

For rental units:

A. Number of units that changed occupancy during the past year;

B. The monthly rent of each unit that changed ownership.

C. The steps taken by the owner or their designee to ensure that the monthly rent for each unit that changed occupancy was maintained at an affordable price in accordance with Section 18.04.020;

and

E. A summary of how the project's innovative design features are functioning including the experience of residents, energy use, building quality, low-impact development, maintenance and other relevant topics. (Ord. 1027 § 1, 2016; Ord. 969 § 2 (Att. B), 2012)

18.04.060 Enforcement

A. The provisions of this chapter shall apply to all developers and their agents, successors, and assigns proposing a residential development governed by this chapter. No building permit or occupancy permit shall be issued, nor any entitlement granted, for a project receiving a density bonus until it meets the requirements of this chapter.

B. All affordable units shall be rented or owned in accordance with this chapter.

C. The city shall be authorized to enforce the provisions of this chapter and all affordable housing agreements, regulatory agreements, covenants, resale restrictions, promissory notes, deeds of trust, and other requirements placed on affordable units by civil action and any other proceeding or method permitted by law. The city may, at its discretion, take such enforcement action as is authorized under this code and/or any other action authorized by law or by any regulatory document, restriction, or agreement executed under Ch. 18 of the Langley Municipal Code.

D. Any individual who sells or rents an affordable unit in violation of the provisions of this chapter shall be required to forfeit all monetary amounts so obtained.

~~**18.04.060 Expiration of innovative permanently affordable housing demonstration program and chapter.**~~

~~*Repealed by Ord. 1027.* (Ord. 969 § 2 (Att. B), 2012)~~

Exhibit D

Chapter 18.06
RS5000 ZONE – RESIDENTIAL

Sections:

18.06.010 Land uses.
18.06.020 *Repealed.*
18.06.030 *Repealed.*
18.06.040 Minimum lot size.
18.06.050 Setbacks.
18.06.060 Maximum height.
18.06.080 Maximum lot coverage – RS5000.
18.06.085 Floor area limits.
18.06.090 Density including Accessory Dwelling Units
18.06.095 Tiny Homes as a SFD

18.06.010 Land uses.
The table in Section 18.09.010 identifies the allowed land uses in the RS5000 district. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 820, 2002; Ord. 696, 1995; Ord. 527, 1989)

18.06.020 Secondary uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 754, 1997; Ord. 703, 1995; Ord. 696, 1995; Ord. 687, 1994; Ord. 597, 1991; Ord. 591, 1991; Ord. 583, 1990; Ord. 527, 1989)

18.06.030 Conditional uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 798, 2001; Ord. 771, 1999; Ord. 754, 1997; Ord. 699, 1995; Ord. 696, 1995; Ord. 583, 1990; Ord. 527, 1989)

18.06.040 Minimum lot size.
Minimum lot size in the RS5000 zone is 5,000 square feet; provided, that submerged lands and all but 25 percent of sensitive areas shall be deducted before calculating the development density for the property. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 733, 1997; Ord. 623B, 1992; Ord. 527, 1989)

18.06.050 Setbacks.
Setbacks in the RS5000 zone are:
A. Street or front: 20 feet;
B. Side yard: five feet on each side;
C. Rear yard: 25 feet;
D. Where a lot abuts a public or private alley, the setback for a principal building shall be 25 feet from the centerline of the alley; for accessory structures, exclusive of accessory dwelling units, the setback shall be 10 feet from the center of the alleyway; ~~for accessory dwelling units, the setback shall be not less than five feet from the rear property line;~~ and in no case shall a structure be erected closer than two feet to the alley right-of-way;

E. All parts of the structure or building including, without limitation, cornices, eaves, canopies, sun shades, gutters, chimneys and flues, shall be considered in calculating the location of the structure or

building in determining compliance with the setback requirements of this section. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 788, 2000; Ord. 771, 1999; Ord. 569, 1990; Ord. 527, 1989)

18.06.060 Maximum height.

A. Maximum height in the RS5000 zone is 25 feet; provided, that the height may be built to 30 feet with a pitched roof if the lowest part of the pitch begins no higher than 25 feet.

B. Except as otherwise provided herein, the maximum height for accessory structures is 15 feet. On lots one-half acre or larger in size, the height may be increased up to the height of the principal building; provided, that there shall be one foot of additional yard setback for each added foot of additional height above 15 feet.

~~C. The height of accessory structures that include an accessory dwelling unit or guest house may be built to a height of 24 feet or 80 percent of the height of the principal structure, whichever is greater.~~

~~D. The following setback requirements shall apply to detached accessory dwelling units:~~

~~1. Along the front yard of the accessory structure, a setback of one foot from the front facade of the principal structure for every foot of height above 15 feet is required.~~

~~2. A setback of one foot from the front facade of the principal structure for every foot of height above the principal structure is also required.~~

~~3. The setback requirements in subsections (D)(1) and (2) of this section shall not apply on lots over one-half acre in size. The standard height and setback requirements provided in Section 18.06.050 for accessory structures shall apply on lots over one-half acre in size.~~

~~4. For all detached accessory dwelling units, only the standard setbacks provided in Section 18.06.050 shall apply if the distance between the accessory dwelling unit and the principal structure is a minimum of twice the side yard setback. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 965 § 2, 2012; Ord. 820, 2002; Ord. 699, 1995; Ord. 617, 1992; Ord. 527, 1989)~~

18.06.080 Maximum lot coverage – RS5000.

The maximum lot coverage is the maximum percentage of surface (exclusive of sensitive areas and submerged lands but including required buffers) that may be covered with materials that will not allow percolation of water into underlying soils. The maximum lot coverage percentages are as follows:

A. Lots 10,000 square feet or less: 40 percent;

B. Lots 10,000 to 43,560 square feet (one acre): 40 percent for the first 10,000 square feet and 30 percent for all area over 10,000 square feet;

C. Lots over one acre: 25 percent. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 771, 1999; Ord. 699, 1995; Ord. 617, 1992)

18.06.085 Floor area limits.

The maximum floor area limit is the maximum amount of habitable floor area that may be constructed in a principal building on a legal lot or parcel. Floor area limits are applicable to all floors above grade and one-half of the total floor area of a daylight basement. The maximum floor area limits are calculated as follows:

Lot/parcel area to be used in the calculations shall be performed in conjunction with Section 18.06.040.

A. Single-family residences: 40 percent of the first 5,000 square feet of lot/parcel area; 25 percent of additional lot/parcel area over 5,000 and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet.

B. Duplex residences: 50 percent of the first 5,000 square feet of lot/parcel area; 35 percent of additional lot/parcel area over 5,000 square feet and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 799, 2001)

18.06.090 Density including Accessory Dwelling Units

For the purpose of this section Accessory Dwelling Units includes Tiny Homes as an ADU

Lot with SFD on sewer	**Lot with Duplex on sewer**	**Lot with SFD on septic**	**Lot with Duplex on septic**
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs
Maximum two ADUs	Maximum one ADU	Maximum one ADU	

18.06.095 Tiny Homes as a SFD

Tiny Homes constructed or placed on a lot as a single-family dwelling shall meet the same requirements for a single-family dwelling as regulated in this zone.

Exhibit E

Chapter 18.07
RS7200 ZONE – RESIDENTIAL

Sections:

18.07.010 Land uses.
18.07.020 *Repealed.*
18.07.030 *Repealed.*
18.07.040 Minimum lot size.
18.07.050 Setbacks.
18.07.060 Maximum height.
18.07.080 Maximum lot coverage.
18.07.085 Floor area limits.
18.07.090 Density including Accessory Dwelling Units
18.07.095 Tiny Homes as a SFD
18.07.100 Lot clustering.

18.07.010 Land uses.
The table in Section 18.09.010 identifies the allowed land uses in the RS7200 district. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 820, 2002; Ord. 696, 1995; Ord. 527, 1989)

18.07.020 Secondary uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 754, 1997; Ord. 703, 1995; Ord. 696, 1995; Ord. 687, 1994; Ord. 591, 1991; Ord. 583, 1990; Ord. 527, 1989)

18.07.030 Conditional uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 798, 2001; Ord. 771, 1999; Ord. 754, 1997; Ord. 699, 1995; Ord. 696, 1995; Ord. 583, 1990; Ord. 527, 1989)

18.07.040 Minimum lot size.
Minimum lot size in the RS7200 zone is 7,200 square feet; provided, that submerged lands and all but 25 percent of sensitive areas shall be deducted before calculating the development density for the property. (Ord. 733, 1997; Ord. 623B, 1992; Ord. 527, 1989)

18.07.050 Setbacks.
Setbacks in the RS7200 zone are:
A. Street or front: 20 feet;
B. Side yard: five feet on each side;
C. Rear yard: 25 feet;
D. Where a lot abuts a public or private alley, the setback for a principal building shall be 25 feet from the centerline of the alley; for accessory structures, exclusive of accessory dwelling units, the setback shall be 10 feet from the center of the alleyway; ~~for accessory dwelling units, the setback shall be not less than five feet from the rear property line~~; and in no case shall a structure be erected closer than two feet to the alley right-of-way;
E. All parts of the structure or building including, without limitation, cornices, eaves, canopies, sun shades, gutters, chimneys and flues shall be considered in calculating the location of the structure or

building in determining compliance with the setback requirements of this section. (Ord. 771, 1999; Ord. 569, 1990; Ord. 527, 1989)

18.07.060 Maximum height.

A. Maximum height in the RS7200 zone is 25 feet; provided, that the height may be built to 30 feet with a pitched roof if the lowest part of the pitch begins no higher than 25 feet.

B. Except as otherwise provided herein, the maximum height for accessory structures is 15 feet. On lots one-half acre or larger in size, the height may be increased up to the height of the principal building; provided, that there shall be one foot of additional yard setback for each added foot of additional height above 15 feet.

~~C. The height of accessory structures that include an accessory dwelling unit or guest house may be built to a height of 24 feet or 80 percent of the height of the principal structure, whichever is greater.~~

~~D. The following setback requirements shall apply to detached accessory dwelling units:~~

~~1. Along the front yard of the accessory structure, a setback of one foot from the front facade of the principal structure for every foot of height above 15 feet is required.~~

~~2. A setback of one foot from the front facade of the principal structure for every foot of height above the principal structure is also required.~~

~~3. The setback requirements in subsections (D)(1) and (2) of this section shall not apply on lots over one-half acre in size. The standard height and setback requirements provided in Section 18.07.050 for accessory structures shall apply on lots over one-half acre in size.~~

~~4. For all detached accessory dwelling units, only the standard setbacks provided in Section 18.07.050 shall apply if the distance between the accessory dwelling unit and the principal structure is a minimum of twice the side yard setback. (Ord. 965 § 3, 2012; Ord. 820, 2002; Ord. 699, 1995; Ord. 617, 1992; Ord. 527, 1989)~~

18.07.080 Maximum lot coverage.

The maximum lot coverage is the maximum percentage of surface (exclusive of sensitive areas and submerged lands but including required buffers) that may be covered with materials that will not allow percolation of water into underlying soils. The maximum lot coverage percentages are as follows:

A. Lots 10,000 square feet or less: 40 percent;

B. Lots 10,000 to 43,560 square feet (one acre): 40 percent for the first 10,000 square feet and 30 percent for all area over 10,000 square feet;

C. Lots over one acre: 25 percent. (Ord. 771, 1999; Ord. 733, 1997; Ord. 617, 1992)

18.07.085 Floor area limits.

The maximum floor area limit is the maximum amount of habitable floor area that may be constructed in a principal building on a legal lot or parcel. Floor area limits are applicable to all floors above grade and one-half of the total floor area of a daylight basement. The maximum floor area limits are calculated as follows:

Lot/parcel area to be used in the calculations shall be performed in conjunction with Section 18.07.040.

A. Single-family residences: 40 percent of the first 5,000 square feet of lot/parcel area; 25 percent of additional lot/parcel area over 5,000 and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet.

B. Duplex residences: 50 percent of the first 5,000 square feet of lot/parcel area; 35 percent of additional lot/parcel area over 5,000 square feet and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet. (Ord. 799, 2001)

18.07.090 Density including Accessory Dwelling Units

For the purpose of this section Accessory Dwelling Units includes Tiny Homes as an ADU

Lot with SFD on sewer	Lot with Duplex on sewer	Lot with SFD on septic	Lot with Duplex on septic
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs
Maximum two ADUs	Maximum one ADU	Maximum one ADU	

18.07.095 Tiny Homes as a SFD

Tiny Homes constructed or placed on a lot as a single-family dwelling shall meet the same requirements for a single-family dwelling as regulated in this zone.

18.07.100 Lot clustering.

On parcels over two acres in size, a density bonus of 25 percent is allowed in conjunction with lot clustering, subject to the following: 50 percent or more of the site is reserved for permanent open space. (Ord. 778, 2000)

Exhibit F

Chapter 18.08
RS15000 ZONE – RESIDENTIAL SINGLE-FAMILY

Sections:

18.08.010 Land uses.
18.08.020 *Repealed.*
18.08.030 *Repealed.*
18.08.040 Minimum lot size.
18.08.050 Setbacks.
18.08.060 Maximum height.
18.08.070 Lot clustering.
18.08.085 Floor area limits.
18.08.090 Maximum lot coverage.
18.08.095 Density including Accessory Dwelling Units
18.08.100 Tiny Homes as a SFD

18.08.010 Land uses.
The table in Section 18.09.010 identifies the allowed land uses in the RS15000 district. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 820, 2002; Ord. 699, 1995; Ord. 527, 1989)

18.08.020 Secondary uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 754, 1997; Ord. 703, 1995; Ord. 696, 1995; Ord. 687, 1994; Ord. 597, 1991; Ord. 591, 1991; Ord. 583, 1990; Ord. 527, 1989)

18.08.030 Conditional uses.
Repealed by Ord. 1004. (Ord. 875, 2006; Ord. 798, 2001; Ord. 771, 1999; Ord. 754, 1997; Ord. 699, 1995; Ord. 696, 1995; Ord. 583, 1990; Ord. 527, 1989)

18.08.040 Minimum lot size.
Minimum lot size in the RS15000 zone is 15,000 square feet; provided, that submerged lands and all but 25 percent of sensitive areas shall be deducted before calculating the development density for the property. (Ord. 733, 1997; Ord. 623B, 1992; Ord. 527, 1989)

18.08.050 Setbacks.
Setbacks in the RS15000 zone are:
A. Street or front: 20 feet;
B. Side yard: 10 feet on each side;
C. Rear yard: 25 feet;
D. Where a lot abuts a public or private alley, the setback for a principal building shall be 25 feet from the centerline of the alley; for accessory structures, exclusive of accessory dwelling units, the setback shall be 10 feet from the center of the alleyway; ~~for accessory dwelling units, the setback shall be not less than five feet from the rear property line~~; and in no case shall a structure be erected closer than two feet to the alley right-of-way;

E. All parts of the structure or building including, without limitation, cornices, eaves, canopies, sun shades, gutters, chimneys and flues shall be considered in calculating the location of the structure or building in determining compliance with the setback requirements of this section. (Ord. 788, 2000; Ord. 771, 1999; Ord. 569, 1990; Ord. 527, 1989)

18.08.060 Maximum height.

A. Maximum height in the RS15000 zone is 25 feet; provided, that the height may be built to 30 feet with a pitched roof if the lowest part of the pitch begins no higher than 25 feet.

B. Except as otherwise provided herein, the maximum height for accessory structures is 15 feet. On lots one-half acre or larger in size, the height may be increased up to the height of the principal building; provided, that there shall be one foot of additional yard setback for each added foot of additional height above 15 feet.

~~C. The height of accessory structures that include an accessory dwelling unit or guest house may be built to a height of 24 feet or 80 percent of the height of the principal structure, whichever is greater.~~

~~D. The following setback requirements shall apply to detached accessory dwelling units:~~

~~1. Along the front yard of the accessory structure, a setback of one foot from the front facade of the principal structure for every foot of height above 15 feet is required.~~

~~2. A setback of one foot from the front facade of the principal structure for every foot of height above the principal structure is also required.~~

~~3. The setback requirements in subsections (D)(1) and (2) of this section shall not apply on lots over one-half acre in size. The standard height and setback requirements provided in Section 18.08.050 for accessory structures shall apply on lots over one-half acre in size.~~

~~4. For all detached accessory dwelling units, only the standard setbacks provided in Section 18.08.050 shall apply if the distance between the accessory dwelling unit and the principal structure is a minimum of twice the side yard setback. (Ord. 965 § 4, 2012; Ord. 820, 2002; Ord. 699, 1995; Ord. 617, 1992; Ord. 527, 1989)~~

18.08.070 Lot clustering.

On parcels over two acres, a density bonus of 25 percent is allowed in conjunction with lot clustering, subject to the following: 50 percent or more of the site is reserved for permanent open space. (Ord. 527, 1989)

18.08.085 Floor area limits.

The maximum floor area limit is the maximum amount of habitable floor area that may be constructed in a principal building on a legal lot or parcel. Floor area limits are applicable to all floors above grade and one-half of the total floor area of a daylight basement. The maximum floor area limits are calculated as follows:

Lot/parcel area to be used in the calculations shall be performed in conjunction with Section 18.08.040.

A. Single-family residences: 40 percent of the first 5,000 square feet of lot/parcel area; 25 percent of additional lot/parcel area over 5,000 and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet.

B. Duplex residences: 50 percent of the first 5,000 square feet of lot/parcel area; 35 percent of additional lot/parcel area over 5,000 square feet and up to 15,000 square feet; 10 percent of additional lot/parcel area over 15,000 square feet. (Ord. 799, 2001)

18.08.090 Maximum lot coverage.

The maximum lot coverage is the maximum percentage of surface (exclusive of sensitive areas and submerged lands but including required buffers) that may be covered with materials that will not allow percolation of water into underlying soils. The maximum lot coverage percentages are as follows:

A. Lots 10,000 square feet or less: 40 percent;

B. Lots 10,000 to 43,560 square feet (one acre): 40 percent for the first 10,000 square feet and 30 percent for all area over 10,000 square feet;

C. Lots over one acre: 25 percent. (Ord. 771, 1999; Ord. 733, 1997; Ord. 617, 1992)

18.08.095 Density including Accessory Dwelling Units

For the purpose of this section Accessory Dwelling Units includes Tiny Homes as an ADU

Lot with SFD on sewer	Lot with Duplex on sewer	Lot with SFD on septic	Lot with Duplex on septic
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs
Maximum two ADUs	Maximum one ADU	Maximum one ADU	

18.08.100 Tiny Homes as a SFD

Tiny Homes constructed or placed on a lot as a single-family dwelling shall meet the same requirements for a single-family dwelling as regulated in this zone.

Exhibit G

Chapter 18.09

LAND USES

Chapter 18.09.010 Land Use Table

Land Use	CB	NB	P-1	RM	RS5000	RS7200	RS15000	NB Retail Overlay
Boardinghouses	X	~~CU~~ P	X	~~CU~~ P	~~CU~~ P	~~CU~~ P	~~CU~~ P	X
Tiny Home	X	X	X	X	P	P	P	X
Tiny Home (on a lot with an existing single family or duplex dwelling)	X	S	X	X	S	S	S	X
Tiny Home (Multi-Family)	X	P	X	P	P	P	P	X

P – Permitted

S – Secondary

CU – Conditional Use

X – Not Permitted

*All uses permitted in the NB Zone are also permitted in the NB Retail Overlay Zone

Exhibit H

18.22.030 Yards

B. Yards – Setbacks. No portion of any building, or structure, over 18 inches above grade shall extend into a required yard, with the exception of the following:

1. Eaves may extend no more than 18 inches into a required yard area; and

2. Accessory buildings and structures and ~~detached accessory dwelling units~~ may be located in the rear yard setback, as long as they are no closer than five feet from any property line~~; provided, that in the RS15000 zone, dwelling units may not be closer than 10 feet from any property line;~~

3. Rear Yard. A principal structure may extend up to six feet into the rear setback; provided, that the extended structure is limited in width to 20 percent of the average lot width and is no higher than 12 feet.

Exhibit I

Ch. 18.22.155 Accessory Dwelling Units

Repeal and Replace Ch. 18.22.155 with the following

A. Purpose

Accessory dwelling units are permitted in certain situations to:

1. Create new housing units while respecting the look and scale of single-family neighborhoods;
2. Support more efficient use of existing housing stock and infrastructure;
3. Offer environmentally frie ndly housing choices with less average space per person and smaller associated carbon footprints;
4. Create work force housing;
5. Provide housing that responds to changing family needs, smaller households, and increasing housing costs;
6. Provide accessible housing for seniors and persons with disabilities; and
7. Implement the Comprehensive Plan.

B. Accessory Dwelling Units

1. The following provisions apply to accessory dwelling units on RS zoned lots:

a. General

i. Accessory dwelling units maybe created within or detached from the principal dwelling unit;

ii. May be established in either an existing or new residence;

iii. Shall be not less than 150 nor more than 1,000 square feet in size;

iv. The total lot coverage requirement of the applicable zone may be exceeded by up to 15 percent if necessary to accommodate an ADU;

v. If the ADU is included within or attached to the principal dwelling unit ~~residence~~, only one entrance is allowed on the front of the principal residence unless more than one entrance on a front or street side existed as of March 1, 1995; additional entrances shall be on the sides or rear of the dwelling unit ~~residence~~;

b. **Utilities**

Must be served by city water and sewer services, where available.

c. **Density**

Notwithstanding B.1.b. above the following is permitted:

Table 1 – Density

For the purpose of this section Accessory Dwelling Units includes Tiny Homes as an ADU

(81)

Lot with SFD on sewer	Lot with Duplex on sewer	Lot with SFD on septic	Lot with Duplex on septic
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs
Maximum two ADUs	Maximum one ADU	Maximum one ADU	

d. **Parking**

i. Where there are two accessory dwelling units One off-street parking space is required in addition to the spaces required for the principal or other approved uses on the property.

e. **Height**

ii. The maximum height for a detached accessory dwelling unit is 15 feet.

iii. The height of accessory structures that include an accessory dwelling unit on the second floor may be built to a height of 24 feet or 80 percent of the height of the principal structure, whichever is greater.

f. Setbacks

The following setback requirements shall apply to detached accessory dwelling units:

i. Street or front: 20 feet;

ii. Side yard: five feet on each side;

iii. Rear Yard: five feet for lots located in the RS5000 and RS7200 Zone Districts and ten feet for lots located in the RS15000 Zone District

iv. In addition to B.1.f.i above, an accessory dwelling unit ~~structure~~ shall be setback from the front facade of the principal dwelling unit ~~structure~~ one foot for every foot of height above 15 feet; and an ADU shall be setback one foot from the front facade of the principal dwelling unit for every foot of height above the principal dwelling unit.

v. Where the principal residence is located more than 25 feet from the front lot line an accessory dwelling unit may be located in front of the principal residence but must be a minimum of 10 feet from the front or street lot line provided the front door does not fact the street.

g. Design

The entrance to the Accessory Dwelling Unit shall not face the nearest side lot line or rear lot line, unless there is an alley abutting on that side of the lot.

h. Access

i. Where there is an alley and where possible, parking shall be accessed from the alley.

ii. Driveway access must be shared by both the principal residence and accessory dwelling unit(s), where possible.

D. Tiny Home

1. The following provisions apply to a Tiny Home(s) as an Accessory Dwelling Unit on RS zoned lots:

a. Building Code

A Tiny Home must be built according to the following building code standards:

i. Tiny Homes shall comply with the IRC and all development standards for a single-family dwelling unit, except as modified herein.
ii. Habitable rooms shall meet minimum area requirements of the IRC and the LMC.
iii. Be supported and anchored to a permanent foundation.
iv. Shall include permanent provisions for living, sleeping, eating, kitchen and sanitation (water closet, lavatory, and a bathtub or shower) in accordance with the IRC and the LMC.
v. Shall meet ingress/egress requirements of the IRC and the LMC.

b. Utilities

A Tiny Home must be served by City sewer and water, where available.

c. Density

i. Notwithstanding D.1.b. above the following is permitted:

Table 2

Lot with SFD on sewer	Lot with Duplex on sewer	Lot with SFD on septic	Lot with Duplex on septic
One attached and one detached ADU	One detached ADU	One attached or one detached ADU	No ADUs or Tiny Homes
Maximum two Tiny Homes or ADUs	Maximum one Tiny Home or ADU	Maximum one Tiny Home or ADU	

d. Lot coverage

An additional 15% lot coverage is permitted for a Tiny House on a lot with an existing single family or two-family (duplex) dwelling.

e. Setbacks

A Tiny Home must be setback a minimum of:

i. Five feet behind the front facade of the principal residence. Except where the principal residence is located more than 25 feet from the front lot line the Tiny Home may be located in front of the principal residence but must be a minimum of 10 feet from the front or street lot line provided the front door does not face the street.
ii. Side Yard: five feet
iii. Rear Yard: five feet

f. Height

A maximum height of 15 feet.

g. Parking

One off-street parking space is required for two Tiny Homes in addition to the parking spaces required for the principal or other approved uses on the property;

h. Access

i. Where there is an alley and where possible, parking shall be accessed from the alley.

ii. Driveway access must be shared by both the principal residence and Tiny Homes, where possible.

i. Design

The entrance to the Tiny Home shall not face the nearest side lot line or rear lot line, unless there is an alley abutting on that side of the lot.

E. Pre-existing Accessory Dwelling Units

Conditions for legalizing pre-existing accessory dwelling units

An accessory dwelling unit that existed January 22, 2019, may be legally established and may continue to be used as an accessory dwelling unit if the following conditions are met:

1. The property owner files an application for the accessory dwelling unit. The administrator may waive the size limitations if the reduction of the floor area required to bring the pre-existing unit into compliance is impractical to achieve.
2. Prior to issuance of a permit, the property owner allows inspection of the accessory dwelling unit by the city to ensure the minimum requirements of this chapter relating to fire, life safety, and public health are met, as determined by the director. All improvements necessary to bring the pre-existing accessory dwelling unit into compliance with applicable fire, life safety, and public health requirements shall be identified and made within 30 days of permit issuance and prior to the issuance of the certificate of occupancy.
3. Prior to issuance of a permit, the property owner shall complete and record an affidavit.

F. **Amnesty Period**

Any existing illegal ADU will not be subject to enforcement action if an application to legalize the ADU is submitted with 24 months of the adoption of these regulations. During this 24-month period the ADU permit fee for the Administrative Review, as per LMC 18.36.02 will be waived. Building permit fees will still be required.

Exhibit J

Add a New Section 18.22.280

18.22.280 Boardinghouse

A. Purpose

Boardinghouses are permitted in certain situations to:

1. Create new housing units while respecting the look and scale of single-family neighborhoods;
2. Support more efficient use of existing housing stock and infrastructure;
3. Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints;
4. Create work force housing; and
5. Provide housing that responds to changing family needs, smaller households, and increasing housing costs.

B. Conditions of Use

A boardinghouse:

1. Is permitted in detached single-family dwelling unit only;
2. Is permitted for long-term rentals only (more than 30 days);
3. All rooms offered for rent shall be legally-established bedrooms;
4. The maximum number of adults over the age of 16 permitted to reside in one bedroom is two;
5. On-site parking spaces are required in a quantity equal to the number of rented bedrooms;
6. Cooking facilities shall not be located in individual bedrooms and shall be shared;
7. Shall be in conformance with the IRC and all other applicable regulations; and
8. Approval of this use shall be subject to administrative review and notice requirements pursuant to Ch. 18.36.025.

Exhibit K

Add New Section 18.22.290

Section 18.22.290 TINY HOME (Multi-Family)

A. Purpose

To allow for the creation of a cluster of Tiny Homes surrounding common open space or a common building or a combination thereof.

To facilitate infill development that is compatible with surrounding single-family dwelling units.

To enable an alternative type of clustered housing with a small footprint

B. Density and Minimum Lot Area

1. One Tiny Home per 1200 square feet
2. The minimum lot area for a Tiny Home multi-family unit development is 5000 square feet

C. Number of Units

1. The minimum number of dwelling units is three (3) Tiny Homes.
2. The maximum number of dwelling units is twelve (12) Tiny Homes.

D. Setbacks

1. Front yard – Shall be an average of 10 feet and at no point shall it be less than five feet.
2. Rear yard – The minimum rear yard shall be ten feet
3. Side yard – The minimum side yard shall be five feet
4. Separation between Tiny Homes – The minimum separation between units shall be six feet

E. Lot Coverage

1. The maximum lot coverage is 50%.
2. Notwithstanding E. 1 above, an additional 5% lot coverage is permitted for community buildings.

F. Open Space

~~1.~~ A minimum of 100 square feet of common open space per unit is required.

2. The common open space area shall include usable spaces such as lawn, gardens, patios, plazas or scenic viewing area. Common tables, chairs and benches are encouraged, with all homes having access to it
3. Fifty percent of units must have their main entry on the common open space.
4. All units must be within ten feet of each common open space(s).
5. The common open space must be located centrally to the development. Passive trails are allowed and may count towards the common open space requirement.
6. Common open space shall have Tiny Homes abutting at least on two sides.
7. Community buildings or clubhouses are not counted towards the common open space calculation. An additional lot coverage of 5% is permitted for community buildings.

8. Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.
9. Space used for setbacks, drive aisles and parking shall not be included in the calculation for common open space.

G. Parking

1. One parking stall per Tiny Home is required.
2. For a development with six or more Tiny Homes the parking ratio shall be 1:6 for visitor parking
3. Where there is an alley and where possible, parking shall be accessed from the alley.

H. Utilities

1. Tiny Home (multi-family) must be connected to sewer and water.
2. One sewer and water connection may be permitted for a total of twelve Tiny Homes provided the Tiny Homes are permanently affordable pursuant to Ch. 18.04.

I. Other

1. Tiny Homes are not permitted to be used as tourist accommodation (commercial), short term rental, bed and breakfast room (commercial or residential) or the equivalent.
2. Open space shall be maintained in accordance with City approved plans.
3. Requires Site Plan Review pursuant to Ch. 18.27 and Design Review pursuant to Ch. 18.34.

Exhibit L

18.22.200 Clustered residential development (CRD).

The following provisions apply to clustered residential development:

A. The minimum lot area shall be 20,000 square feet.

B. Density: 150 percent of the base density for the zone district in which the property is located; provided, that all development standards are satisfied.

C. Balance of site (other than individual lots) shall be in a common ownership tract(s).

D. Habitable space ~~Living area~~ (greater than five feet in height) on each lot is limited as follows:

1. Total square footage in the principal building: 1,400 square feet.

2. No more than 50 percent of the principal buildings may have more than 800 square feet on the first or main level. All other units are limited to 800 square feet on the first or main level.

E. Lots must abut usable, landscaped common area of at least 15 percent of the total site area.

F. An open porch of at least 96 square feet facing onto the common open space or public street.

G. Setbacks.

1. Site Perimeter.

a. Site perimeter abutting a public street: 20 feet, except an unenclosed porch or deck may extend eight feet into this setback for up to 40 percent of the average width of a dwelling adjacent to the public street.

b. Remainder of Perimeter. The setbacks shall be as follows: no more than 50 percent of the perimeter area: 10 feet, and for the balance of the perimeter the setback shall be 20 feet.

2. Internal. Five feet; provided, that the perimeter setback still applies if a lot abuts a perimeter lot line.

~~H. Accessory dwelling units: not permitted.~~

I. Parking: two spaces per lot is required; may be on the lot or on common tract which is screened from the street; one-third of lots may have parking that backs onto a non-collector public street.

J. CRDs will be processed through the regular plat process or the binding site plan process procedures set forth in Chapter 18.36.

K. Served by public sewer.

L. Subject to the city's design review requirements for overall CRD site, including common buildings, landscaping, lighting, etc. Individual residential units are not subject to design review.

M. Maximum Lot Coverage.

1. Total project site: 50 percent.

2. Individual lots: 60 percent.

N. CRDs are subject to conditional use permit approval in all single-family residential zones. (Ord. 771, 1999)

Exhibit M

Design Review Board

18.34.030 Scope.

A. Design review shall apply to all nonresidential development in the central business, public and neighborhood business zones and certain development in the residential zones including multifamily development, planned unit developments, cottage housing, clustered residential development, Tiny Homes in a multi-family unit development, ~~detached accessory dwelling units~~, wireless communication antenna arrays, and accessory buildings larger than 1,200 square feet are subject to the provisions of this chapter as set forth in Section 18.22.050(B)(2)(b). Specifically exempt from design review are developments involving one- and two-family dwellings and associated accessory dwelling units and Tiny Homes (single family dwelling or ADU) unless part of a larger project that is subject to design review.

Exhibit N

Administration

18.36.025 Permit applications requiring administrative action by the planning official.

A. The city planning official may administratively approve, approve with conditions, or deny applications for certain land use proposals. Such administrative permit applications are listed below. If an application is found to be consistent with the city's zoning ordinance, this title, and with other applicable code provisions and city requirements, a certificate of zoning compliance or other appropriate approval shall be issued subject to compliance with public notice requirements.

B. Administrative permit applications requiring notification of application:

1. Bed and breakfast rooms.
2. Short subdivisions.
3. ~~Accessory dwelling units.~~
4. Shoreline exemptions and shoreline substantial development permits, except those permits where a corollary permit is subject to the quasi-judicial process.
5. Accessory buildings having a gross floor area greater than 1,200 square feet.
6. Tourist accommodations – commercial.
7. Reduction of yard setbacks as provided for in Section 18.22.030(C).
8. Type I site plan review.
9. Boardinghouse

C. Administrative permit applications not requiring notification of application, including but not limited to:

1. Boundary line adjustments;
2. Home occupations not requiring a conditional use permit;
3. Reductions of critical areas buffers as provided for in Section 16.20.070;
4. Critical/sensitive areas review pursuant to Chapter 16.20 requirements;
5. Written code interpretations;
6. Other minor actions (e.g., remodeling existing commercial buildings to accommodate new businesses);
7. New or modified one- and two-family dwellings; and
8. Signs.
9. Accessory dwelling units including Tiny Homes

Debbie Mahler

From: Peter Morton <peterforlangley@gmail.com>
Sent: Thursday, January 17, 2019 12:50 PM
To: Debbie Mahler
Cc: Tim Callison; Christy Korrow
Subject: Response to January 7 City Council Citizen Comments on Growler Operations
Attachments: 2019 01 22 E6-18G White PaperV03.docx; Untitled attachment 00041.html; 2018 08 28 Molly Hughes Letter re E6-18G OLF Ops.pdf; Untitled attachment 00044.html

Hi, Debbie,

Individual citizens and members of a citizen group Sound Defense Alliance (SDA) testified at the January 7 City Council meeting requesting Langley City Council pass a Resolution "Opposing the Expansion of Growlers and Growler Training..." Councilmembers Korrow and Morton offered to analyze the situation and suggest an appropriate response from Langley.

We have completed the analysis as a "White Paper: Langley City Council Options on Growler Flights at Outlying Field Coupeville" which contains a recommendation for Council action. Enclosed is the White Paper, which proposes that the Langley City Council and Mayor send a letter to the Coupeville Mayor and City Council in support of the position of the City of Coupeville as expressed in the letter from Molly Hughes, Mayor of Coupeville, to our state Representatives and Senators, with copies to the Whidbey NAS Captain, Commissioner Helen Price Johnson, and Governor Jay Inslee.

Councilmember Korrow has drafted a letter and will be sending it to you by email. We request that you print this letter for Council consideration and, if adopted by vote, signature at the January 22nd Council meeting.

I request that you publish this email, the White Paper, the draft letter, and a copy of Mayor Hughes' letter in the January City Council Meeting Packet and put the matter on the agenda under Old Business.

Enclosed is the White Paper, and a scan of Mayor Hughes' letter.

Thank you,

Peter

Peter Morton
Council Member Langley City Council
peterforlangley@gmail.com
360-730-1064

Note: email correspondence to this account are a matter of public record and subject to release under the Public Records Act. State law does not allow me to protect the confidentiality of our discussion except in very limited circumstances. Please choose your content carefully.

'19

V03 1/17/18

White Paper: Langley City Council Options on Growler flights at Outlying Field Coupeville

Background: At the Jan 7 Langley City Council meeting, a number of citizen residents of South Whidbey requested Council pass a resolution opposing expansion of EA-18G Growler operations at Outlying Field Coupeville (OLF). Citizens spoke as individuals, and as members of the Sound Defense Alliance (SDA). They also provided draft language for a Langley Resolution. As a reference, we have an Aug. 28, 2018 letter from Coupeville Mayor Molly Hughes on the subject to Washington State congressional legislators.

Options: The Langley City Council could:

1. Decline to take any action on the matter.
2. Defer action on the matter to a later date.
3. Pass a formal Resolution using the suggested SDA language or draft and pass one with alternative language.
4. Create a letter of support from Langley officials, directed to Coupeville Mayor Hughes and others.

Considerations and impact on Langley City Council Action Options:

	Consideration	Langley City & Council Action Options
1.	The matter of E6-18G noise and other aspects of NAS Whidbey interaction with the community has been under public scrutiny for several years. There has been an increase in community involvement, discussion intensity and polarization during 2017 and 2018 as the Navy considered a increases in the fleet and aircraft carrier landing practice at OLF. Thresholds of operational activity will be crossed with proposed 2019 operations, affecting land use, noise exposure, ground water contamination, and other factors.	Though Langley and South Whidbey are less impacted than North and Central Whidbey, this situation may affect Langley interests indirectly: 2. Tourism 3. Land values 4. Though remote, the possibility that common aquifer contamination may occur 5. Increased pressure on housing 6. Decrease in the county-wide tax base
2.	Citizens spoke at the Jan. 7 City Council advocating reduction or elimination of E6-18G operations. Weapon system vulnerability to disasters were cited. Citizens requested a Langley Resolution to help influence Navy and/or government agency decisions.	A formal Resolution would require a First Reading, legal review, Second Reading, public hearing, and consideration of opposing testimony. Considerable attention from City leadership would be necessary.
3.	SDA and Coupeville City are organized and actively involved, have access to specialized expertise, and have reached out to County, State, and Federal entities.	Langley lacks specialized expertise that could add substance to the debate.
4.	As the only incorporated area of South Whidbey Island, Langley City Council has a responsibility to state a position and take a stand on issues that affect our City and our region. The MRSC and AWC Manual notes in a section titled "Legislative Advocacy": "Many city officials don't realize just how much influence they have to help make changes at the state level... City Councils can vote to take official positions on state issues that affect the City." Also, Individual citizens of Langley and South Whidbey may join organizations such as SDA to add their political weight on either side of the situation	Langley typically focusses on local issues; a practice designed to preserve scarce leadership and staff resources. However, our Comprehensive Plan notes: "The City of Langley is interdependent with other communities in the county, the unincorporated area, and the Puget Sound region." (Executive Summary, pg 3) Langley options by which to express support include: • A formal City Council Resolution • A letter of support • Participation in meetings, etc.
5.	Coupeville and Central Whidbey are directly affected by E6-18G operations, and along with SDA have submitted organized responses to higher governmental officials through participation in meetings with the Navy, other government entities, and a formal letter from Mayor Molly Hughes.	Langley could choose a formal Resolution or letter to support "Sister City Coupeville" in maintaining traditional Whidbey environmental quality of life. A Resolution would require a First and Second Reading, legal review, and public hearing with testimony.

STP (Situation/Target/Proposal)

- **Situation**: Whidbey is in a contentious and polarizing situation due to E6-18G increased operations. Langley was asked to weigh into the controversy with a formal City Council Resolution. The Resolution would require a First and Second Reading, legal review, and public hearing with testimony. Langley has no relevant expertise to influence negotiations with the Navy.
- **Target**: Langley supports Whidbey environment and quality of life without need for a Resolution.
- **Proposal**: City Staff will draft a letter of support to Coupeville Mayor Hughes referencing her Aug. 28 2018 letter to Congressional legislators. The Langley letter to be signed by Langley Mayor and City Council members. This action may be somewhat polarizing to advocates on both sides of the issue, and we may expect some criticism.

City of Langley

112 Second Street
P.O. Box 366
Langley, WA 98260
(360) 221-4246

Tim Callison, Mayor

Fax (360) 22-4265

January 22, 2019

Mayor Molly Hughes
Members of the Town Council
Town of Coupeville
PO Box 725
Coupeville, WA 98239

Re: Letter of Support of Coupeville Mayor Molly Hughes and Town Council/ Statement of Langley City Council Opposition to Growler Expansion at OLF Field

Dear Mayor Molly Hughes and Coupeville Town Council:

With this letter, the Mayor of Langley and the Langley City Council express our support to the Coupeville Mayor and Town Council for the letter written by Mayor Hughes on August 28, 2018, and unanimously approved by the Coupeville Town Council (Letter Attached). We share your concerns regarding the impacts to your community and our region that will result from the expansion of Growler flights at Outlying Field Coupeville (OLF).

Our City of Langley Comprehensive Plan notes: "The City of Langley is interdependent with other communities in the county, the unincorporated area, and the Puget Sound region." ("Executive Summary," p.3.) As the only incorporated area of South Whidbey Island, this Langley Council has a responsibility to state a position and take a stand on issues that affect our City as well as our region.

Though Langley and South Whidbey are less impacted than North and Central Whidbey, this situation may negatively affect Langley interests indirectly and possibly directly. By standing against the Growler expansion at OLF field, we hereby exercise the Precautionary Principle which is defined as: "When an activity raises threats of harm to the environment or human health, *precautionary* measures should be taken even if some cause and effect relationships are not fully established scientifically."

Areas of concern for our own community include:

1. Negative impacts on tourism which affects our businesses.
2. Increased pressure on housing.
3. The possibility that common aquifer contamination may occur as it has in the Coupeville municipal well.
4. Decrease in county-wide property tax base due to expansion of the Accident Zone and related diminished property values.

We realize this is an evolving issue. We invite you to stay in touch with us and we will do our best to stay

current on this issue and be there to lend our support as needed.

Regards,

Tim Callison, Mayor, Langley, Washington Date

Langley City Council Members:

Christy Korrow Date

Bruce Allen Date

Dominique Emerson Date

Ursula Shoudy Date

Peter Morton Date

Town of Coupeville

4 NE Seventh ▪ PO Box 725 ▪ Coupeville WA 98239
360.678.4461 ▪ 360.678.3299 Fax ▪ www.townofcoupeville.org

August 28, 2018

Congressman Larsen – Adam.LeMieux@mail.house.gov
Senator Cantwell – joe_downes@cantwell.senate.gov
Senator Murray – ann_seabott@murray.senate.gov

Dear Congressman Larsen and Senators Cantwell and Murray,

As we near the release of the Final Environmental Impact Statement (FEIS) from the Navy, we would like to make one more appeal for your intervention regarding the increased Growler operations at Outlying Landing Field (OLF) Coupeville. **The Coupeville Town Council and I are asking for your help to dramatically reduce the number of operations allowed at OLF Coupeville, before a final record of decision is signed.**

With 36 new Growlers being stationed at NAS Whidbey Island, for a total of 118, we understand more pilots are required and the need for field carrier landing practice (FCLP) will also increase. We want our Navy pilots to receive the training they need in order to carry out their missions and fly safely. However, we don't think that 80% of that training should take place adjacent to Coupeville and over Ebey's Landing National Historical Reserve. This is clearly a disproportionate hardship for our small community.

As their name suggests, Growlers are exceedingly loud aircraft. This fact cannot be overstated. FCLPs involve low altitude approaches and full-power take-offs and turning movements, generating maximum noise impacts to an otherwise quiet rural community. The Town of Coupeville is a mere 10,000 feet from the end of the runway and, as documented in the EIS, the OLF pattern is the airspace immediately above the working family farms that constitute a significant element of the cultural landscape that is Ebey's Landing National Historical Reserve. The Town and the surrounding countryside were recognized by Congress as a national treasure that honors our heritage. The magnitude of changes currently proposed by the Navy may threaten the very basis of Congress's designation. The Town provided comments to this effect as part of the Section 106 consultation for this proposal. Our concern is that the policy was set ahead of the environmental review process.

From an economic standpoint, it is clear having a Navy Base on the Island provides jobs, sales tax, and increases spending in the local economy. These benefits are mostly felt in Oak Harbor's economy. We feel it is appropriate and equitable that the majority of the FCLP training happen in Oak Harbor, too.

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Central Whidbey's economy is heavily dependent on Ebey's Landing National Historical Reserve and the environment it creates. "Place Based Tourism" draws visitors who want to enjoy a quiet and historic location. Lodging, retail, dining, destination events, and many types of outdoor recreation all depend on the culture that was created by, and is preserved by, Ebey's Reserve. A four-fold increase in FCLP's will severely impair our Place Based Tourism and our residents.

One of the many reasons the Reserve was created by Congress 40 years ago was our Community's desire to save the historic agricultural lands in Central Whidbey. Working outside on the farms will become unhealthy and unsustainable with the level of flights proposed by the Navy. This will hurt our economy and our culture.

Another reason the Reserve was created was to prevent high density development on this agricultural land. The protection of the Reserve lands was accomplished, sometimes at great sacrifice to private land owners, and has been sustained for 40 years. Now, in a cruel twist of irony, these low development rates and low population counts are two of the reasons the Navy is using to justify moving 80% of FCLP's to Central Whidbey.

At the level of operations the Navy is proposing for OLF Coupeville, not one, but two Accident Potential Zones (APZ) will need to be created. This will change land use and values, affect property taxes, destroy some businesses and create new safety concerns in Central Whidbey. APZ's have already been created in Oak Harbor for Ault Field and the appropriate land use exists under them.

The Navy is using historical data showing as many as 32,000 operations have taken place at OLF Coupeville in the past, thus justifying their preferred alternative as consistent with prior use. Between 1988 and 1992, during Desert Shield and Desert Storm, the Navy did fly between 24,000 and 32,000 operations per year at OLF Coupeville. However, even then, even when the need to prepare more pilots for active duty was greater, the number of operations at Coupeville was only 34% to 39% of the total FCLP's flown during those years. The rest were flown at Ault Field. History shows that, even in times of active military engagement, OLF Coupeville has not borne the majority of FCLP operations.

During the past six years (2013-2018) the Navy has kept the number of FCLP's to the allowed 6,100 per year at OLF Coupeville, even as the number of Growler pilots has increased at the Base. Also during this time, Navy pilots have received the training they need, by either flying at Ault Field or other locations. Some of these locations include NAF El Centro, NAS Oceana, NAS Norfolk, NALF Fentress and NAS North Island. We do not feel that the use of other, existing locations for FCLP training was given consideration in the draft EIS and subsequent Preferred Alternative.

We firmly believe the majority of Coupeville citizens do not want to see NAS Whidbey Island go away. We also believe that the majority of Coupeville citizens support OLF Coupeville and the critical pilot training it provides. We believe the citizens of Central Whidbey would accept an increase in operations at OLF if it is proportional and necessary. With that in mind, we propose the following mitigation ideas and ask for your advocacy on our behalf:

- With the increase in jets and squadrons being stationed at NAS Whidbey Island the total number of FCLP's will increase by 23%. We ask that our share of that increase also be 23%. This would increase the total allowable operations at OLF Coupeville from 6,100 per year to 7,500. 7,500 would equal 26% of the total FCLP operations.
- Commit to not flying more than 5,000 operations on either pattern. This would eliminate the need to create APZ's at OLF Coupeville.
- Formalize the current "handshake agreement" of "no-fly weekends". This would allow lodging and event venues to take long term reservations in good faith, knowing Friday night, and all day Saturday and Sunday will be quiet. More importantly, it would assure our citizens of at least the weekends being peaceful, a large part of the reason people choose to live here.
- A commitment from the Department of Defense and the Department of the Navy to work with Congress and Washington State to obtain mitigation funding for sound retrofits to existing buildings in Central Whidbey.
- A similar commitment for mitigation funding to purchase property from existing property owners who need to leave the Central Whidbey area because of significant noise increases.

We recognize the Navy's efforts to lower the total amount of FCLP's needed for the Growlers by 30% (20% due to MAGIC CARPET technology and 10% due to one less pilot per squadron) from the draft EIS to the announcement of their Preferred Alternative. This is significant and appreciated.

Again, the Town of Coupeville supports the men and women in our armed forces, especially the Navy enlisted at NAS Whidbey Island. We understand and respect the need to provide all Growler pilots with the best training possible. We ask that the Navy understand and respect the economy and the way of life we have built and the National Historical Reserve we have been protecting for 40 years.

Sincerely,

Molly Hughes

Molly Hughes
Mayor, Town of Coupeville

cc: Captain Army, NASWI – matthew.arny@navy.mil
Helen Price Johnson, Island County Commissioner – district1@co.island.wa.us
Jay Inslee, Governor for the State of Washington – julia.terlinchamp@gov.wa.gov

JULY 2018 HOUSING SURVEY RESULTS

Presented January 22, 2019

City of Langley

(98)

Introduction

Langley, as well as Island County as a whole, are experiencing a shortage of affordable housing due to several reasons including changing demographics, increases in housing prices, vacant/seasonal use homes, lingering recession effects, and an increasing population. The Comprehensive Plan adopted in 2018 works to increase housing affordability. To implement part of this larger strategy, the City has completed a draft of a new housing ordinance designed to increase the availability, affordability, and diversity of housing options. Its main objective is to increase the number of infill housing units by increasing the number of Accessory Dwelling Units (ADUs) allowed per property, encourage Tiny House communities, and ease the restrictions on boardinghouse approval.

Survey Background

To better understand Langley's housing needs, a voluntary survey was created regarding proposed code amendments to reduce housing barriers. The survey was sent to each utility ratepayer within Langley city limits. This survey was designed to gather input and personal experiences about Langley's current housing situation. Of all the surveys sent out, 142 were returned and results were compiled. Selected comments are featured. Please note, this survey was for informational purposes only and was not designed to be scientific.

Executive Summary

Most respondents acknowledged the lack of housing availability for Langley's workforce. Only a small minority believed there are enough housing options for homeowners and renters, 6.5% and 3.9% respectively. The majority believed Langley lacks housing and smaller percentage were not sure.

Of the 142 respondents, 51.8% reported having friends or relatives who experienced housing related issues, including affordability, unavailable units, sub-standard housing, or eviction for short-term rentals. Most comments described lack of affordable housing .

Although only 13.4% of respondents are employers in the City of Langley, 1/3 of them reported that their employees had issues relating to housing. Most comments addressed the lack of affordable housing.

When asked the percentage of income they spend on housing (mortgage/rent, utilities, insurance etc.), 38.3% reported spending more than the "ideal" 30%, 8.3% spent 30%, and 45.1% spent less than 30%.

Only 14.4% of survey respondents have an ADU on their property and 41.5% knew of a neighbor that does. Surprisingly, 11.1% were aware of issues in their neighborhood related to ADUs.

Long term rentals were more popular, as 13.2% reported having a long term rental and just 4.9% reported having a short term rental.

Support for Code Amendments

64% of respondents were in favor of allowing more than one ADU per property with an existing Single-Family Residence (SFR). 28.8% were not and 6.4% were not sure. Comments included concerns posed regarding noise, parking, lot size, sewer availability, and potential to be used as

Short-Term Rentals (STRs). Many commenters expressed support for them as long as the lot was of adequate size and design review was in place.

66.7% of respondents were in favor of allowing multiple small dwelling units on one lot (i.e., tiny homes 150-300 square feet). 26.8% were not and 6.5% weren't sure. Although the majority supported this issue, commenters were concerned about potential density issues with parking, lot size, a "tent city" or shack appearance. Many suggest restricting their use as STRs, requiring them to be owner occupied, and reviewing their design. A few were also concerned with the viability of living in 150sq ft long term.

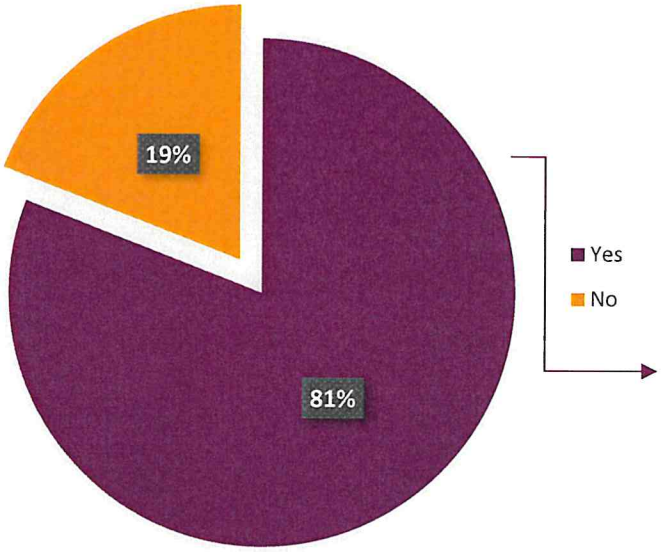
65% were in favor of making the boarding house approval process easier. 24.2% were not and 10.8% weren't sure or didn't know enough about the current process to answer. Those in favor expressed that this type of housing would increase the options available, particularly for single men and women. Those in favor believed that increasing the number of boarding houses will bolster the community and increase affordability. Commenters were concerned with the potential for overcrowding and suggested limiting the number of boarders per house.

54% were in favor of placing more restrictions on short term rentals. 39.5% were not, and 6.5% weren't sure. Some of those in favor voiced support for limiting the number allowed in the city by a lottery and taxing owners. They were concerned that STRs displace long term renters and produce noise and disturbance for neighbors. Those opposed to more restrictions claimed that STRs boost the tourism industry, which is an important aspect of Langley's economy.

Evident in the results of this survey, Langley's citizens acknowledge the shortage of affordable housing options. In order to increase the supply of affordable housing for the workforce, regulation and policies need to be created to encourage alternative types of housing, ensure that future development is consistent with the character and aesthetic of the town, minimize environmental impacts, and impacts on safety and the general welfare of citizens.

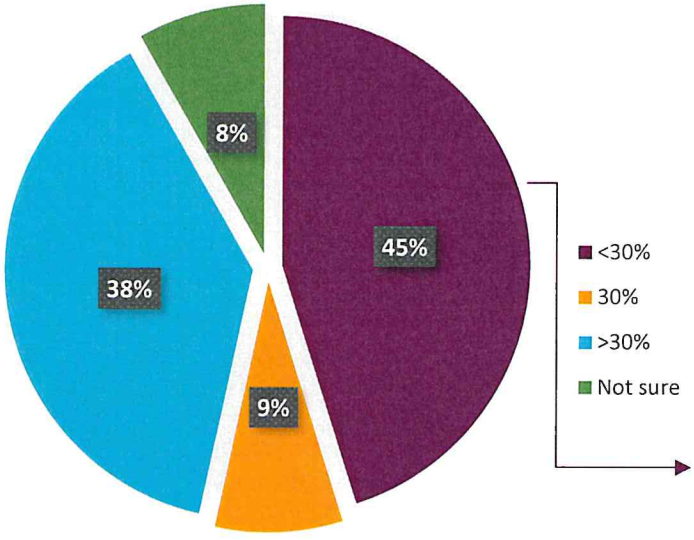
CURRENT HOUSING AVAILABILITY

Do you live in Langley city Limits, if not where?



The majority (81%) of respondents live within Langley city limits, but some others lived elsewhere and owned businesses or property in Langley. Most had Langley addresses but were outside city limits. The vast majority lived in Island County.

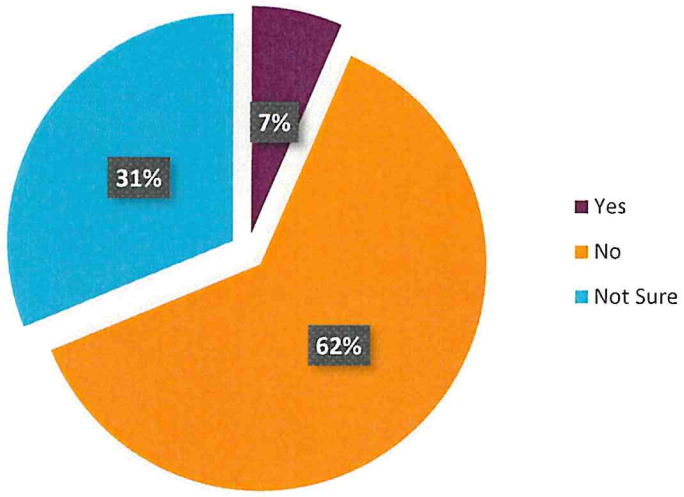
What percentage of your household income is spent on housing?



Households spending more than the ideal 30% set by the U.S. Department of Housing and Urban Development (HUD) are considered "cost burdened." According to the Island County Housing Needs Analysis from November 2017, 47% of Langley households are cost-burdened, also the highest in in the County. This statistic was not reflected in the survey, possibly because a large proportion of respondents were not sure what percentage of their income went to housing costs.

In all of Island County, renters are far more likely to be cost burdened than owners (50% vs 29%, respectively).

Are there enough housing options for homeowners?



Only 7% of respondents could say definitively that they believed that there was enough housing in Langley for buyers, which may indicate of an extreme shortage. Most home vacancies are due to seasonal use. 27% of homes on South Whidbey are vacant due to seasonal or occasional use.

Many comments alluded to the fact that housing for buyers existed, but are being sold at a market price that many of the middle and lower income brackets cannot afford.

Entry-level homes such as small 1-2 bedroom units are also less common than larger 3-4 bedroom homes. The average family size is 1.8. Though family size is decreasing, home size is increasing. Smaller homes are useful for first time homebuyers as well as older individuals looking to downsize.

COMMENT SPOTLIGHT

No

"No, Who can afford it?? When a 900sq ft home goes for 500k."

"No, the homes that are for sale are too expensive- can only be purchased by folks with $ from off-island."

"No, Most (if not all) homes that come up for sale are offered at higher prices than most workers can afford."

"No, Inventory of housing options is very low Part of the issue is we also have a very small city."

"No, very few homes go on the market."

"No, Single family dwellings in short supply- vacant homes/vacation homes."

"No, Costs are too high for many middle income families."

"No, the high costs of housing makes getting started very hard. Not good for our long term viability as a community."

Yes

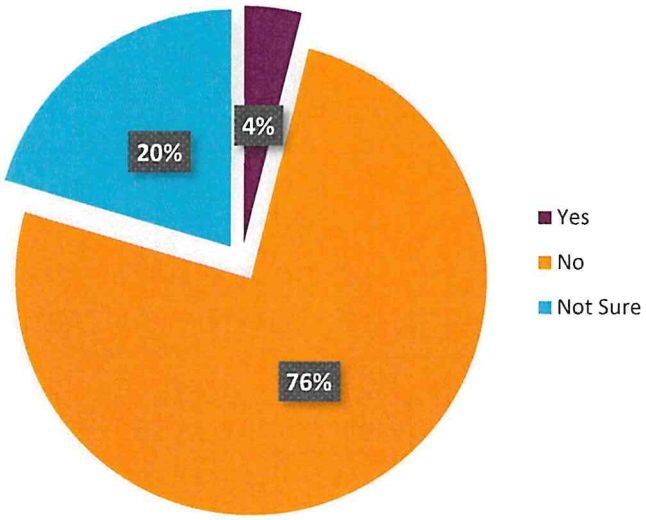
"Yes, at a higher level of income."

Not Sure

"Don't Know, People can and do work in Langley and live elsewhere."

"Don't Know, depends on their income. It's not inexpensive to live in Langley or Island Co."

Are there enough housing options for renters?



Only 4% of respondents believed that enough housing was available to renters. One of the most common comments cited the high price of rentals relative to the minimum wage. In Island County, a household must earn at least $18.92 an hour to afford the average two-bedroom unit in Island County.

Langley also suffers from the "missing middle" phenomenon, in which medium density housing stock is not abundant. The majority of Langley's housing is in the form of single family residences. A few shared-wall complexes exist such as Brookhaven and Saratoga Terrace, but few duplex, triplex, and townhouse units exist. 71.6% of Langley's housing stock is in the form of SFRs while only 28.3% are multifamily units or flats above businesses. Worse yet, the construction of SFRs continues to outpace the construction of multifamily units.

COMMENT SPOTLIGHT

No

"No, WA is #8 on list of most out of reach states for renters. A renter needs to make almost $30 an hour to afford a 2BR. Salaries are low here."

"No, I've seen maybe one place for rent since living here 3 yrs."

"No, there is also a shortage of short term rentals/ hotels to support our tourism industry. This is just as important."

"No, both necessary to keep full time residents on the island, prevent W.[hidbey]? from becoming bedroom/2nd home dominated. Full time residents are the backbone of community."

"No, I know of several good rentals that recently got sold to 2nd home buyers. Seems like rentals are all Airbnb."

"No, the City could use more rental housing. An apartment building could make a considerable difference."

"No, All Whidbey does not have anywhere near enough housing for single people (<$1000/month)."

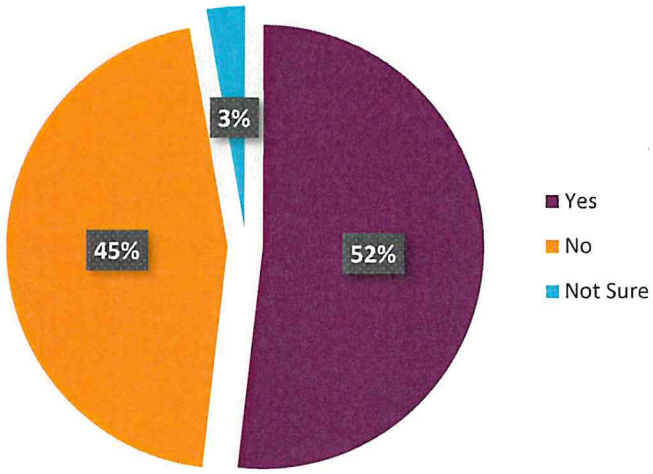
"No, Rentals are few and most are over priced and homes are expensive and in bad shape."

"No, Absolutely NOT. Minimum wage is $11.50 going up to $12. Do the math."

Not Sure

"Not Sure, I think not, from what I have heard. It would be good to have affordable rentals, maybe put up by the city."

Do you have friends or family with housing related issues?



This question was intended to get people to look past their own housing situations and share the situations of people they may know. About half of respondents said they knew of someone with housing difficulties. Most comments address issues about lack of housing affordability. A few mention that renters are displaced when a property comes up for sale or is converted to a short term rental.

COMMENT SPOTLIGHT

Yes

"Yes, Forced to move when rents increased or when converted to vacation rentals"

"Yes, Many friends-- both potential home owners as well as renters-- very difficult to find a market value affordable housing and housing that fits their needs, esp. smaller dwellings."

"Yes, Someone I know lives next door to someone in her apartment complex who harasses her. She'd like to move but has no options."

"Yes, grandchildren making 15-20 per hour can not afford current rent structures."

"Yes, I have friends who have not been able to afford affordable houses to rent. Many say rental rates appears to be geared toward summer vacationers rather than long term lease holders."

"Yes, high water prices!!"

"Yes, A number of people are being displaced after renting for long term due to sale or change in property use. Finding affordable housing isn't available."

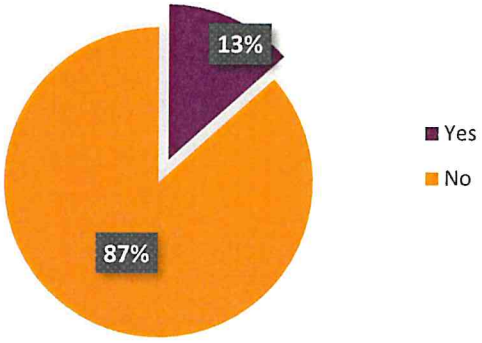
No

"No, none have had issues finding housing."

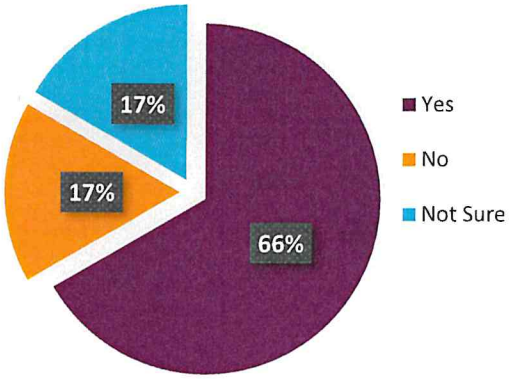
Not Sure

"It seems to me there are many older single or coupled people in Langley who have large houses. This seems like an opportunity to remove barriers to adding additional living units within existing structures."

Are you an employer in the Langley city limits?



If yes, do any of your employees have housing related issues?



Although most survey respondents are not employers, 2/3 of those that are claim their employees have issues with housing. Many employers in Langley are restaurants, shops, and other service industry businesses. One respondent mentions that their employees receive $15 per hour but still struggle with rent.

COMMENT SPOTLIGHT

Yes

"Yes, lack of affordable housing is becoming a serious problem. Glad you are addressing."

"Yes, not currently, but as we hire more part time or seasonal staff housing will likely be an issue."

"Yes, our chef had to move to the east to get a better housing situation."

"Yes, We pay $15/hr but still our employees struggle to pay rent and live in fear of eviction due to month to month or short lease. We could lose them if this happens."

"Yes, Have 2 units and get lots of queries. Really sad that zoning is so restrictive. Know of many violations because need is great and laws are slow to respond."

"Yes, unable to find affordable housing for those in the service field!"

"Yes, living in a van, working on farm in exchange for housing, being exploited."

No

"No, employees live outside Langley."

"Not sure. One of my employees wants to sell her home and move into a small house in Langley."

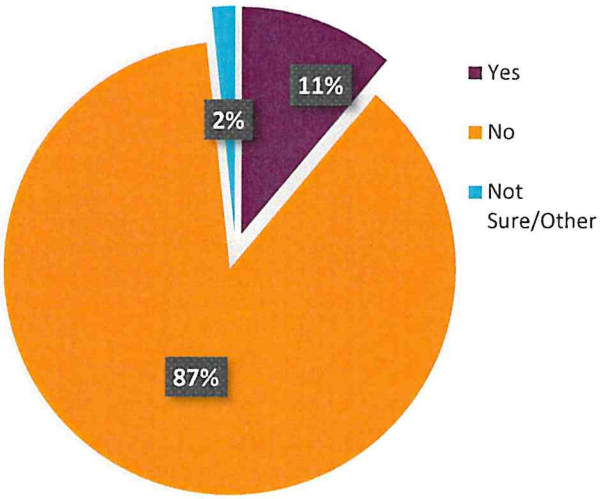
"No, they live outside the City."

Other/Not Sure

"Need for pocket housing. The Langley rest pocket assortment- not one focus a shotgun housing solution."

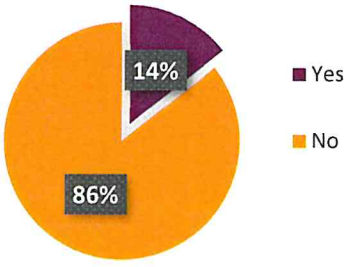
ADUs (Accessory Dwelling Units)

Do you know of ADU related issues in your neighborhood?

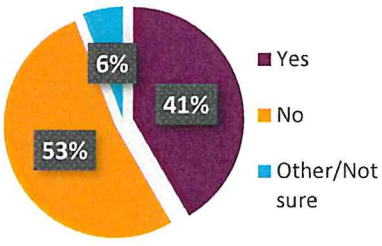


*Examples of possible issues include noise, parking, STRs, appearance/landscaping etc

Do you have an ADU?



Do any of your neighbors have ADUs?



Comment Spotlight

No

"No, ADUs are often resisted by neighbors but have been successful in other locations Especially when requirements for owner occupied main dwelling is enforced."

"No, Only possible issues are ADUs used as Airbnb or VRBO units->We live between 2 such situations and have only encountered a noise or disturbance once or twice in 2 years."

"No, Our daughter or other young workers live in our "ADU" since they cannot afford to rent on the island, even working 3 jobs each."

"No, When ADUs are used for long term rentals, they are an asset to the neighborhood. All/every young and/or low income folks to live here and enrich our community."

"No, I moved here to get away from the crowded city life. Please do not turn Langley into that. Unless you can actually control what may come- don't do it!"

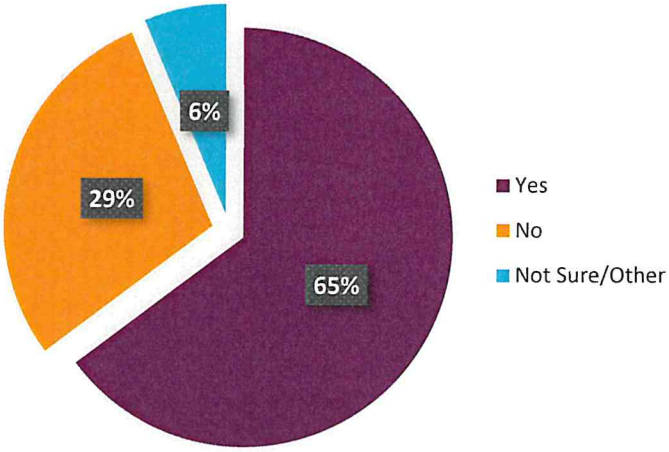
Yes

"Yes, Costs and restrictions around ADUs can discourage them. Only one ADU per property [is] too restrictive-need rule that any ADU over 1 cannot be rented to multiple renters in a one month period."

"Yes, neighbors try and stop development."

"Yes, most rent out as Airbnb which takes away housing opportunity for local people.

Should the City allow more than one ADU on a property with an existing SFR?



The majority of respondents were in favor of allowing more than one ADU per property.

Many commenters were concerned that multiple dwellings on a single property would appear like shacks. However, design guidelines can ensure ADUs are designed to be cohesive with Langley's character.

COMMENT SPOTLIGHT

Yes

"Yes, so long as the owners occupy the home or the home is rented out long term."

"Yes, assuming that this can be done in ways that prevent the city from developing a "tent city" appearance of multiple "temporary" looking structures"

"Yes, Langley's population density is far below even our peer towns in the US, which is notoriously sprawling. More housing in Langley!"

"Yes, this will help alleviate the rental shortage and provide housing for service industry workers, which is much needed.

"Yes, If they are used for long term rentals"

"Yes, It would increase the density. I heard of a suggestion with 2 ADUs and one had to be a long term rental. Good idea!"

"Yes, only if one attached and one detached."

No

"No, Langley proper is a small area--please do not crowd it--people who work here can find housing in Clinton, Freeland, and Greenbank also."

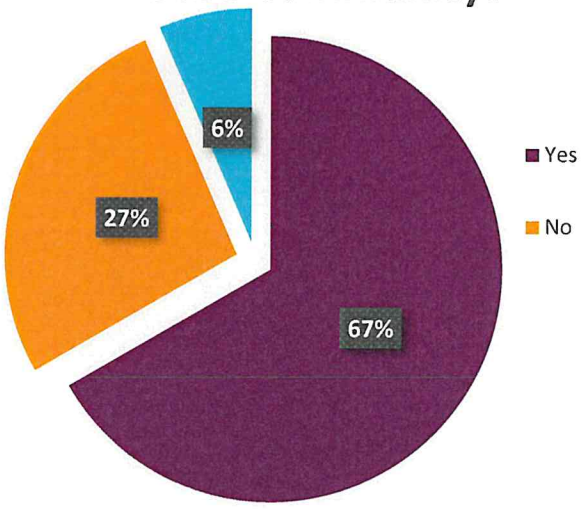
"No, seems like overcrowding."

"No, unfair to neighboring homeowners- increased traffic, cars parked outdoors. In fact, City should regulate the number of mother-in-law units to a certain number per block or neighborhood."

Not Sure/Other

"Maybe. Dependent on lot size, house size, sewer availability."

Should the City allow multiple small dwelling units on one lot, i.e. a Tiny House Community?



Although most were in favor of this style housing, respondents were concerned about the appearance of these dwellings and the density that would result. Under the proposed code, only 1 tiny house per 1200 square feet would be allowed.

It was also posed that 150-300 square feet may not be enough for long term housing, and some were concerned it may be instead more likely to be used as short term housing.

COMMENT SPOTLIGHT

Yes

"Yes, If they are really used for long term rentals and not for Airbnb."

"Yes, zoning and review must be in place to prevent the construction of unattractive 'shacks' and strict rules in place to prevent clutter, debris, and visible 'storage' outside.

"Yes, But parking should be limited both onsite (so that it doesn't look like a parking lot and it doesn't increase impervious surfaces) and that parking doesn't spill over on to public street space."

"Yes, All should be subject to public review and then be registered and have an annual fee and yearly inspection, just like septic systems, etc. Perhaps even rental rates and insurance and ability for City to shut down."

"Yes, Maybe not only detached but allow clusters of 2-3 attached with clusters of open also."

"Yes, I think a village of tiny houses would be great, especially if there were ordinances about green space and not a 'trailer park.'"

No

"No, Would prefer multi-family apartments over individual dwelling units

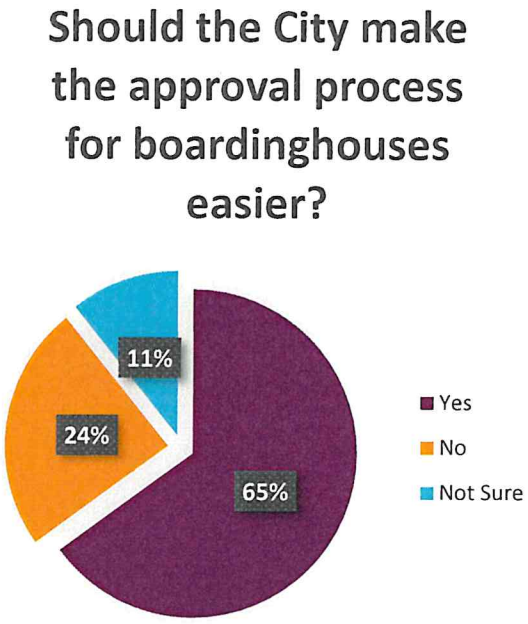
"No, 300 square feet is not enough for long term housing."

"No, not in city limits unless they are owner occupied only."

Maybe

"Maybe. Issues of density and parking to be considered."

BOARDINGHOUSES



This question drew a lot of confused responses, although the majority seemed to support it. Many people incorrectly assumed the definition of boarding house or said they didn't know enough about the issue and the current process of approval.

A boardinghouse is defined as a single family dwelling rented to no more than 4 boarders on a long term basis.

The current process requires approval from the hearing examiner for all proposed boardinghouses.

COMMENT SPOTLIGHT

Yes

"Yes, a good alternative to build community and provide safe housing. Also can be a living for the property owner."

"Yes, Cities used to have boarding houses for single men and women to receive meals-why not allow them to help singles find affordable housing?"

"Yes, Again we need more housing and housing choices. Any hypothetical "issues" can be dealt with later. They can't be worse than our current crisis. We are in danger of losing our community due to lack of housing. VRBOs don't make a community."

"Yes, vital for our seasonal economy and the local businesses that have a chance to do well."

"Yes, Of course must have oversight to prevent exploitation by landlords but yes, an important form of affordable housing."

No

"No, I have lived in a 1 bedroom 1 bath apartment-downstairs in the same size apartment, 3 families moved in. The men were urinating outdoors. The three families had mattresses all over. It was disgusting living conditions. Limit how many boarders a home can take in."

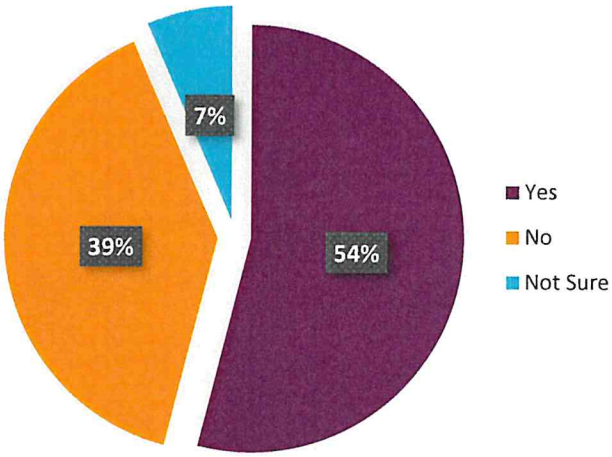
"No, Too dense/# of people, traffic, parking, noise septic/sewer use."

Not Sure

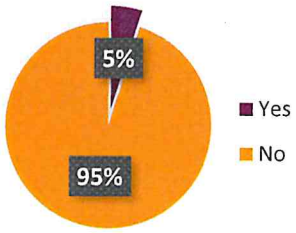
"Not sure, There should be no intrusion of 'owner' occupied. Yes if want more rental (long term) housing for workers, w/ 'short term' restrictions. No if you want to discourage drug houses, short term rentals."

STRs (Short-Term Rentals)

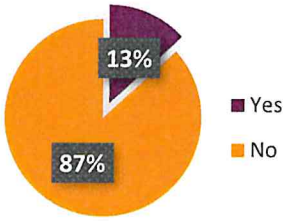
Should the City place more restrictions on short term rentals?



Do you have a short term rental?



Do you have a long term rental?



Few reported having a long term rental, and even fewer reported having a STR. A slight majority were in favor of further restrictions on STRs such as VRBO and Airbnb. Many suggested adding fees and licenses like other cities require. Others expressed their desire to have "real" neighbors with accountability living near them, not a community hollowed out by an abundance of STRs.

Comment Spotlight

Yes

"Yes, Vancouver BC is restricting their use. Check out their regulations."

"Yes, yes to some, but limit the percentage or number. A lottery?"

"Yes, I want real people living near me. People who contribute and have some accountability. Not tourists."

"Yes, Absolutely!! This is the primary problem. Should do like Hood River and other vacation towns and limit number of Airbnb days allowed to rent out. This would most likely facilitate longer term rental available for locals."

"Yes, but only with a special permit with approved rate, fee for inspections, ability to pull permit, and ideally central clearing office by some group or unit. Must be controlled."

"Yes, Need to make sure all residents of HOA get notice; parking is a major problem in HOA and shared facilities."

No

"No, Depends on the restrictions. My unit has no kitchen. Many seniors need the income."

"No, more education about the effects of short term removing long term from the market. Leave owners in freedom."

"No, I don't think restricting short term rentals solves whatever problem you are trying to solve.The hotels on the island are very expensive. Short term rentals support the tourism industry. It is also how we make enough supplemental income to live on Whidbey."