

**Langley City Council Meeting Minutes
June 21, 2010**

Mayor Samuelson called the meeting to order at 6:30 PM. Present were City Council Members Robert Gilman, Rene Neff, Bob Waterman, and Fran Abel. Russell Sparkman was absent. Also present were Director of Planning, Larry Cort; Director of Finance/City Clerk, Debbie Mahler and Planning Advisory Board member Jim Sundberg. The flag salute was led by Council Member Waterman.

MOTION: To approve the Consent Agenda. Motion - Waterman, 2nd - Gilman. Motion carried.

CONSENT AGENDA

- a. Council Meeting Minutes – June 7, 2010
- b. Claims Warrants No. 26618-26643 in the amount of \$89,990.27
- c. Payroll Warrants No. 26470-26497 (5/14/10) in the amount of \$50,196.82 and Nos. 26533-26557 – 26104 (5/31/10) in the amount of \$51,603.13.
- d. Approval of Agenda

MAYOR’S REPORT

Chamber Report – Sherry Jennings reported that all preparations are underway for Choochokum. Volunteers are needed for the Beer Garden. A Chetsomoka Ferry christening and celebration of the new ferry that will be on the Keystone-Port Townsend run starting next Sunday will be held here in Langley. Life Magazine is naming Langley as one of the top ten underrated beach towns. The Braeburn was named one of 50 best places for breakfast. The kiosk directory signs have been updated with merchant changes. A merchant’s walkabout was held last week. Wednesday will be the next meeting of the Merchant’s group. KPLU radio is having a promotion in July where Langley will be the community of the month.

Sno-Isle Regional Library Annexation – Mayor Samuelson updated the time line on a proposed annexation to the Library District. The City’s Library Board must recommend annexation, then Council will pass a resolution for or against and then it goes to the County Commissioners for approval before going to a vote of the people.

CITIZEN COMMENTS

Bob Trenchard asked if letters to the Council or Mayor get answered. Mayor Samuelson stated that he responds by telephone to most letters or emails. Council members expressed that they do not answer all letters, but discuss them at meetings.

ACTION ITEMS

MOTION: To adopt Ordinance 943 Adding sections to Chapter 3.56 of Langley Municipal Code entitled “Parks and Open Space Maintenance and Enhancement Fund and Land Acquisition Funds.” Motion - Waterman, 2nd - Abel. Motion was approved without opposition.

MOTION: To waive the first reading and adopt ordinance 944 amending LMC 15.04 and adopting the 2009 International Building Code. Motion - Neff, 2nd - Waterman. Motion passed unanimously.

STUDY SESSION TOPICS

SPECIAL JOINT STUDY SESSION WITH PLANNING ADVISORY BOARD

Draft code amendments- Public comment on Subarea Planning, Land Use Budgeting & Transferable Development Rights. Mayor Samuelson thanked the citizens attending for their patience in listening to all the presentations on the above subjects and announced that it is time for their questions and comments. Craig Carty stated that he feels TDRs are a good thing, but not for a city the size of Langley and would be too onerous and complicated. He feels the volume of property is the key point and Langley is too small. Island County had TDRs back in the 1980’s but dropped the program because they didn’t feel it worked and was costly to maintain. Without TDR’s, Mr. Carty stated that land use budgeting and subarea planning are not needed. According to reports he has read, none of these tools have been effective in Washington. Gayle Fleming asked if TDR’s would apply in the UGA. Councilman Gilman stated that they would apply if the area were annexed. Maureen Cooke said she thinks that these subjects are way too complicated for a city our size. Robert Gilman feels that however you approach land use, it is complicated. He says these issues are designed to address issues that have come up in planning. Bob Waterman felt he needed the education on these subjects to determine if they will benefit the city and to help determine his vote on the draft subdivision code that has been presented. Rene Neff sees her job as a council person to become as knowledgeable as possible on the issues so that she can make an informed decision.

Craig Carty pointed out that Langley became a code city in 1974 and adopted a municipal code. That code has been tweaked and amended over the years and has a time proven element to it. Carolyn Cliff participated in the PAB meetings last year and stated that there were three main things that bothered her in the draft code: common walls, open space requirement and affordable housing. When she participated in the Comp Plan process, she thought the sub-areas were going to plan these decisions that affect their

neighborhood and property and in fact her voice is only being heard after decisions have been made. She stated that she is not comfortable with being the subject of an experiment and is very concerned. Jim Sundberg stated that the PAB tried to keep the amended subdivision code density neutral and encourage clustering of housing. Robert Gilman stated that these three planning tools give more flexibility. Leanne Finley said she researched TDR's and she can't find anywhere in the US where a community under 5,000 has a TDR program. She thinks we are spending too much money on a theoretical goal and that the concept is too massive and a waste of time for Langley. She doesn't feel any of these three tools are necessary and that simplicity is the key.

Fred Fossek thanked the council for all their time and effort. He stated that the City has a responsibility to future generations, and he feels that these things can only work on a state-wide basis. We are very small, and the objective is to save land, have open space to give quality of life, but we don't have to have an egregious amount of open space, and the footprint for housing sizes in the draft plan is too small to accommodate most families. Joyce Fossek, asked what neighbor is going to be happy with dense clustered development? Bob Liebolt lives in Lynden, owns 40 acres on Coles Road, and is a developer. He asked how you lay these land use processes out. He has not seen any TDR programs that work. He feels you must create demand for it. He also stated that the draft presented by PAB is basically very good, and he doesn't want to see it bogged down by all these processes.

Vance Tillman – TDR's no limit on how much TDR rights can be bought. If City is assigning certificates what liability does the city have? Who determines subareas and what happens in them? RG said Council would determine what the subarea boundaries are, people in that area would be able to be engaged in the planning of that area, but council would have ultimate decision. Chris Jerome wants to see the draft subdivision code get voted on as it exists; the three other subjects need much more time to go through. Gayle Fleming suggested the draft code amendments get passed and establish subareas now. Do phase II later. Bob Trenchard wonders if PAB would have made a different recommendation if these three subjects had been part of their deliberations. Jim Sundberg stated the Planning Advisory Board followed the direction of the Council to do the first priority of subdivision codes to lift the moratorium. They didn't have time to implement and research these tools. He feels they are too complex for one sweep of code revision. The current draft can be further amended and made better over time. Tiny Tillman stated that the expert in TDR's that attended the last meeting described this as a "rigorous program". How is Langley going to implement and pay for this program, she asked? She thinks it will be a complex, complicated and costly endeavor. The Highlands has become much of what the city is desiring subdivisions to be; why do we need to make drastic changes? Larry Cort reported current code allows a wide range, such as a

development like the Highlands, but also allows for developments on the other end of the spectrum.

MOTION: To adjourn the meeting at 8:44 PM. Motion - Waterman, 2nd - Neff. Motion carried.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk