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16A.10 PURPOSE AND SCOPE

(FROM 18.01...OTHER PORTIONS OF SECTION MOVED TO 16I ADMINISTRATION CHAPTER)

16A.10.010 Purpose.

The purpose of this title includes, but is not limited to, promoting the health, safety and general welfare by guiding the development of the city by means of the comprehensive land use plan which is, in part, carried out by the provisions of this title. It is further intended to provide regulations and standards, which will:

- A. Encourage high standards of development;
- B. Prevent the overcrowding of land;
- C. Provide adequate light and air,
- D. Avoid excessive concentration of population;
- E. Lessen congestion on the streets;
- F. Facilitate adequate provisions for transportation, utilities, schools, parks and other necessary public needs;

G. Preserve the small town character of Langley and direction for orderly growth and development, together with flexibility to respond to changing economic circumstances.

(Ord. 527, 1989)

16A.10.020 Scope.

A. The provisions of this title shall be interpreted as the minimum requirements necessary to protect the health, safety and general welfare of the public.

B. Where the provisions of this title impose restrictions on the use of land or structures greater than are imposed by other public or private regulations, the provisions of this title shall control. (Ord. 527, 1989)

16A.20 COMPREHENSIVE PLAN

(MOVED FROM 18.21...PORTIONS MOVED TO 16I ADMINISTRATIVE SECTION)

18.21.010 Preparation.

~~—A. The planning agency of the city is responsible for the preparation of and updating of the comprehensive plan for anticipating and influencing the orderly and coordinated development of land and building uses of the city and its environs. Amendments to the comprehensive plan will be considered no more frequently than once each year, except in the event of an emergency. Proposed amendments will be reviewed concurrently so that the cumulative effect of the proposed amendments can be considered. The first time that amendments can be considered is January 1996.~~

~~—B. Two general types of plan amendments will be considered. The first type is an annual review conducted by the City itself. This review will examine any portion or the entire plan, including a reevaluation of goals, elements, and the reaffirmation of policies. Included in this review will be plan amendments consistent with the Growth Management Act.~~

~~—C. The second form of plan amendments relate to site specific requests.~~

~~—1. Anyone wishing to propose an amendment must submit the proposed amendment in writing to the City planning official.~~

~~—2. Proposals for amendment need to include at least the following information: (1) reference to the element of the comprehensive plan that is proposed for amendment; (2) proposed amendatory language; and (3) an explanation of why the amendment is being proposed and the justification for the amendment.~~

~~3. All proposed amendments shall be referred to the planning agency for consideration and the planning agency, in turn, shall forward its recommendations to the City Council in accordance with the provisions of Chapter 18.21.~~

~~D. For all amendments, the planning agency shall hold at least one public hearing for the purpose of receiving public comments regarding the merits of proposed amendments. Notice of the hearing(s) shall follow the procedures set forth in LMC 18.36.020. The provisions of 18.36.020 that refer to "the subject property" shall be followed if a proposed amendment is property specific.~~

~~E. A copy of the amendment(s) recommended to the City Council by the planning agency shall be transmitted to Washington Department of Community, Trade and Economic Development (DCTED) at least sixty days prior to the expected date of final City Council action on the proposed amendment(s). A copy of any adopted amendment(s) will be transmitted to the DCTED within ten days after adoption by the City Council. (Ord. 696, 1995, Ord. 699, 1995)(Ord. 873, 2006)~~ **MOVED TO 16I ADMINISTRATIVE SECTION**

16A.20.010 Planning area.

The comprehensive plan shall include real property situated both inside and outside of the boundaries of the city. The planning agency shall determine the planning area boundaries that should be used to meet the needs and requirements of the city and the surrounding area. The planning agency should coordinate with agencies such as Island County and the South Whidbey School District in defining the city planning area. (Ord. 527, 1989; Ord. 564, 1990)

16A.20.020 Elements of comprehensive plan.

The elements of the comprehensive plan shall include at a minimum:

A. A land use element that designates the proposed general distribution, general location, and extent of the uses of land, and shall include estimates of future population growth and statements of recommended standards of population density and building density, for the area covered by the comprehensive plan referred to in Section 16A.30.020 of this chapter;

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B. A circulation element consisting of the general location, alignment and extent of existing and proposed major thoroughfares, major transportation routes and major terminal facilities, all of which shall be correlated with the land use element of the comprehensive plan;

C. An open space, park and recreation element;

D. An annexation element showing goals and policies dealing with future annexations of unincorporated territory to the city;

E. A public utilities element showing general plans, goals and policies for the development of public services and facilities; and

F. Such other elements as may be recommended by the planning agency and approved by the city council, which deal with subjects relating to the development of the city or are essential to coordinate public services and programs with such development. (Ord. 564, 1990; Ord. 527, 1989)

16A.20.030 Form.

The comprehensive plan shall consist of maps, diagrams, charts, reports, descriptive and explanatory texts or other materials to express, explain or depict the elements of the plan. The contents of the plan shall include a consistent set of goals, policies, standards and strategies, which outline and depict a recommended course of action, scheme or design for each element of the comprehensive plan. The comprehensive plan shall consist of two documents:

A. Community profile, depicting the physical, social and economic characteristics of the planning area; and

B. Goals and policies to guide future growth of the city and other areas comprising the city planning area. (Ord. 564 1990; Ord. 527, 1989)

18.21.050 — Compliance with State Environmental Policy Act.

~~The preparation and adoption of the comprehensive plan shall comply with the State Environmental Policy Act of 1971 (RCW Chapter 43.21C). (Ord. 564, 1990; Ord. 527, 1989)~~ **MOVED TO 16I ADMINISTRATIVE SECTION**

18.21.060 — Action by city council.

~~The city council shall approve or disapprove, or modify and approve as modified, the comprehensive plan, or refer it back to the planning agency for further proceedings. (Ord. 564, 1990; Ord. 527, 1989)~~ **MOVED TO 16I ADMINISTRATIVE SECTION**

16A.30 CONCURRENCY AND CONSISTENCY REQUIRED

(Inserted and Renamed FROM 18.22.170)

All new developments within the city must be consistent with the provisions of the comprehensive plan, including but not limited to the following:

- A. The land use map as adopted in the land use element of the comprehensive plan.
- B. The applicable goals and policies of the comprehensive plan.
- C. The level of service standards set for transportation and/or other facilities. Level of service standards for facilities shall not fall below minimum standards established within the capital facilities plan, unless improvements or strategies to accommodate the impacts of the development are made concurrent with the development.

~~For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies are in place at the time of occupancy, or that a financial commitment is in place to complete the improvements or strategies within six (6) years. (Ord. 703, 1995) (ADDED TO DEFINITIONS)~~

16A.40 PLANNING AGENCY

MOVED FROM 18.20

Sections:

- 18.20.010 State statutes adopted.**
- 18.20.020 Created Responsibilities.**
- 18.20.030 Planning officer.**
- 18.20.040 Planning officer - Duties**
- 18.20.050 Planning Officer – SEPA official**
- 18.20.060 Planning Advisory Board – Created**
- 18.20.070 Planning Advisory Board - Purpose**
- 18.20.080 Planning Advisory Board – Duties and Responsibilities**
- 18.20.090 Planning Advisory Board - Members**
- 18.20.100 Planning Advisory Board- Meetings**
- 18.20.110 Parks and Open Space Commission – Planning Agency Duties and Responsibilities**

16A.30.010 State statutes adopted.

RCW Chapter 35A.63 is adopted by reference. (Ord. 527, 1989)

16A.30.020 Created Responsibilities.

Pursuant to RCW Chapter 35A.63, there is created a planning agency of the city with the powers and duties prescribed in this chapter. The planning agency shall be comprised of the planning officer, the planning advisory board and, under certain circumstances as specified

below, the parks and open space commission. The planning agency shall be responsible, through its component parts, for:

- A. Review and updating of the comprehensive plan for the city;
- B. Information and administration of the land use regulations of the city;
- C. Development of new land use regulations or revisions of existing land use regulations for consideration by the city council;
- D. Preparation of reports and recommendations on land use applications including subdivisions, variances, conditional uses, shoreline permits and other related permits and environmental review;
- E. Other related duties as designated by the mayor or the city council. (Ord. 527, 1989)(Ord. 873, 2006)(Ord. 906, 2008)

16A.30.030 Planning officer.

The head of the planning agency shall be known as the city planning officer. The position shall be appointed by the mayor and shall be confirmed by the city council. (Ord. 527, 1989)

16A.30.040 Planning Officer - Duties

The planning officer shall provide regular staff services to the planning advisory board. The planning officer shall submit to the planning advisory board a report and recommendation on all applications or proposed land use regulations. The planning officer shall convey to the city council the majority report of the planning advisory board, any minority report and the recommendation of the planning officer on any land use application or proposed regulation which requires city council action as currently provided by ordinance. (Ord. 527, 1989) (Ord. 873, 2006) (Ord. 906, 2008)

16A.30.050 Planning Officer – SEPA Official

The planning officer shall serve as the responsible official pursuant to the State Environmental Policy Act of 1971 (RCW Chapter 43.2 1C). (Ord 570, 1990; Ord. 527 1989) (Ord. 906, 2008)

16A.30.060 Planning Advisory Board – Created.

The City of Langley hereby creates a Planning Advisory Board.
(Ord. 578, 1990; Ord. 564, 1990; Ord. 527, 1989; Ord 798, 2001) (Ord. 906, 2008)

16A.30.080 Planning Advisory Board – Duties and Responsibilities.

The planning advisory board shall be advisory to the City Council and shall have the following responsibilities:

- A. To review and make recommendations on quasi-judicial actions, including applications for subdivision, variance, conditional use, and rezone.
- B. To research, review and make recommendations on land use plans and regulations including the zoning code, long-range plans (with the exception of the Parks and Open Space Element of the Comprehensive Plan), shoreline master program and other special projects as assigned by the Council.
- C. To carry out other responsibilities and duties as assigned by Council. (Ord. 527, 1989)(Ord. 873, 2006) (Ord. 906, 2008)

16A.30.090 Planning Advisory Board – Members

A. Number of Members. The board shall consist of five (5) voting members and one (1) alternate member. The alternate member shall attend meetings and participate in discussions and will vote when a regular board member is not able to attend a board meeting.

B. Residency. Four (4) voting members and the alternate must reside either within the City of Langley, or a maximum of one (1) may reside within the unincorporated Urban Growth Area (UGA), as defined by the most current adopted Comprehensive Plan map. (Ord. 906, 2008)

16A.30.100 Planning Advisory Board- Meetings

The planning advisory board shall meet at least once each month, or as often as feasible, in order to carry out the planning advisory board function and to minimize the delay in processing land use applications and planning documents. The board shall adopt and publish policies regarding the time, place, and frequency of meetings. If there is no business to conduct a meeting cancellation notice shall be posted in the same manner as all meeting notices. Special meetings may be held as often as the board deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act. (Ord. 527, 1989) (Ord. 906, 2008)

16A.30.110 Parks and Open Space Commission – Planning Agency Duties and Responsibilities.

The parks and open space commission shall be advisory to the City Council on matters concerning long-range parks and open space planning, including amendments to the Parks and Open Space Element of the Comprehensive Plan.