

# **16C.**

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## **16C.10 PURPOSE AND INTENT**

*To be added...*

## **16C.20 COMMUNITY DESIGN ZONES**

### **16C.20.010 Official Community Design Zone Map Adopted.**

The Community Design Zone Map, as adopted and from time to time amended by the City Council, shall be known as the “Official Community Design Zone Map” and made a part of this title by this reference. All notations, references and other information shown thereon shall be as much a part of this title as though all matters and information set forth on the map were fully described in this chapter.

A. Regulations in Effect. The regulations contained in this title are established and declared to be in effect upon all lands included within the boundaries of each community design zone shown upon the Official Community Design Zone Map.

B. Map on File. The Official Community Design Zone Map shall be kept on file with the city clerk and shall bear the signatures of the mayor as attested by the city clerk, along with the date and ordinance number of the most recent amendment to the map adopted by the City Council. This title and each and all of its terms shall be read and interpreted in the light of the contents of the map. If any conflict arises between the map and the text of this title, the text of the title shall prevail.

C. Community Design Zone Boundaries. The location of the various community design zones are shown on the official zoning map of the city which is part of the ordinance codified in this title.

D. Interpretation of boundaries. The community design zone boundaries indicated on the zoning map shall be interpreted as follows:

1. Where boundaries are indicated along streets, the boundaries shall be the centerline of the street.

2. Where boundaries are indicated along established lot lines, the boundary shall be the lot line.

3. Where boundaries are indicated on perennial watercourses, the boundary shall be the thread of the stream.

4. Upon vacation of a street, the design zone boundaries of abutting properties shall be extended to the centerline of the vacated street.

5. Where boundaries do not correspond to property lines or the centerline of a street, the design zone shall be determined by scaling from the official zoning map.

### **16C.20.020 Community Design Zones Established.**

Community design zones are hereby established as follows.

**1. Village Center Design (VCD).** The Village Center Community Design Zone encloses the pedestrian-oriented, predominantly commercial neighborhood design within downtown Langley. The design features commercial uses with a mix of housing not at street level. Buildings are located next to the sidewalk and parking areas are hidden behind buildings. Park and open space types are typically centralized village squares, usable by the entire village center, and areas of valuable open space such as critical areas are incorporated into the design. The dominant street pattern is grid or modified grid streets with alleys and every street includes sidewalks. Alternative pedestrian routes, such as pedestrian alleys that run perpendicular to streets and break up long blocks, are also incorporated into the design.

**2. Dispersed Business Design (DBD).** This Dispersed Business Community Design Zone is limited to the smaller concentrations of commercially-oriented uses outside of the Village Center Community Design Zone, typified by the east side of Camano/Sixth corridor from Sandy Point to Cascade, DeBruyn Avenue and the western end of Third Street. With the exception of the large building that once housed Langley Lumber, most structures maintain a residential scale with associated off-street parking.

**3. Traditional Village Design (TVD).** The Traditional Village Community Design Zone is typified by the neighborhoods in and adjacent to the 1890 Plat of Langley. The design features a detached, semi-detached and cottage housing with some mixed low-impact commercial uses such as residential-zoned offices, bed and breakfasts and home occupations. Park and open space types include small, formal parks and some high value open space such as critical areas and waterfront. Street patterns exhibit multiple internal and external connections with alleys. Provisions for pedestrians are made by multiple ingress and egress points to the neighborhood including on- and off-street routes.

**4. Traditional Village Design-Mixed Residential (TVD-MR).** The Traditional Village-Mixed Residential Community Design Zone features characteristics similar to the Traditional Village Design Zone, but is largely composed attached and semi-detached units rather than detached housing. There are no public parks or open spaces within the design zone, but there are considerable areas of private yards and private open space associated with the multifamily housing projects in the area, such as the Creekside Terrace Condominiums, Brookhaven, and the Saratoga Terrace Apartments. Street patterns are primarily composed of through public streets and a variety of private lanes are connected with these through streets and other main roads.

**5. Modern Subdivision Design (MSD).** The Modern Subdivision Community Design Zone is characterized by neighborhoods with roots from the 1950s forward which evoke the design ethic associated with the post-World War II housing boom and modern design movement. Neighborhoods such as Northview, the Cedars and Noble Cliff exhibit high degrees of design uniformity within each respective subdivision and are populated exclusively with larger, detached homes. Some private tracts and an occasional public space have been set aside as part of the subdivision process and the larger average home size tends to support a number of home-based businesses. Public ingress and egress is typically concentrated at one street connection and internal streets are either looped or a cul-de-sac.

**6. Sensitive Environment Design (SED).** The Sensitive Environment Community Design Zone captures those predominantly residential neighborhoods with a discernable built character where the presence of known and significant environmentally sensitive features has shaped the existing pattern of development while limiting future opportunities for infill. Typically, these neighborhoods feature lower density housing that is almost exclusively detached single family. Ample natural vegetation remains, either within the private open space on individual parcels or within critical areas and buffers. This zone has been divided into two sub-districts based on the degree of environmental sensitivity within distinct drainage catchment areas.

**7. Rural Village Design – 6000 (RVD – 6000).** The Rural Village Design – 6000 Zone encourages preservation of open space lands and the rural character of Langley within future neighborhoods slated for a moderate amount of growth. The design zone features primarily mixed residential uses with some low-impact commercial uses such as residential-zoned offices and home occupations. Park and open space types are typically of the open space variety and are incorporated within the design of the neighborhood through the mandatory clustering of housing

to preserve significant undisturbed tracts of land. The dominant street pattern emphasizes connectivity and has alleys, although looped roads and cul-de-sacs are allowed if necessary to preserve critical or natural areas. Provisions for pedestrians are made by including multiple ingress and egress points on streets and trails through preserved natural areas within the development.

**8. Rural Village Design – 4000 (RVD – 4000).** The Rural Village Design – 4000 Zone encourages the preservation of natural areas and habitats, open space, critical areas, and scenic corridors with modest accommodation for diverse housing clusters that have been designed to connect across parcel boundaries. This design features primarily residential uses, although low impact commercial uses such as residential-zoned offices and home occupations may be included, and all uses must be clustered away from key conservation features. The street pattern is flexible and designed to preserve the largest conservation area possible. Provisions for pedestrians are made by multiple ingress and egress points to the neighborhood, including on trails created through the preserved conservation areas.

**9. Public/Institutional (PI).** The Public/Institutional Community Design Zone encloses those uses and locations that serve a public or institutional purpose within the community. These specialized sites, including municipal buildings and utility infrastructure, the Island County Fairgrounds, the Langley Middle School, the fire station, and transit facilities are highly diverse in character and scale, degree of open space and availability for community use.

#### **16C.20.050 How to Apply the Community Design Zones**

This section is intended to guide users of this title to the appropriate section for further information on distribution and design of permitted uses, supplemental use standards and the division of land.

**A. Permitted Land Uses and Standards.** Refer to the following sections for information on permitted uses and standards for each design zone:

1. Permitted Uses. See LMC 16C.30
2. Standards for Design Zones. See LMC 16C.40 and any standards for the zone found between LMC 16C.50 and 16C.58.

**B. Supplemental Land Use Standards.** Refer to the following sections for general standards relating to all land uses and specific supplemental standards for certain land uses:

1. Land Use Standards - General. Refer to LMC 16E.10 and 16E.12.
2. Land Use Standards – Specific Uses. Refer to LMC 16E.20 through 16E.40.

**C. Land Divisions.** Refer to the following sections for information on subdividing land by short plat, long plat or binding site plan:

1. Short Plats (4 or fewer lots). Refer to 16G.40.
2. Long Plats (5 or more lots). Refer to 16G.50.
3. Binding Site Plans. Refer to 16G.60.

## **16C.30 USES WITHIN COMMUNITY DESIGN ZONES**

### **16C.30.010 Permitted Uses Established within Community Design Zones.**

Principal, secondary and conditional uses within each of the community design zones are hereby established to implement purposes of the title, and to implement purposes of the respective design zones.

**16C.30.020 Interpretation of Table 16C-1: Principal, Secondary and Conditional Uses**

Allowed primary, secondary and conditional uses are identified in Table 16C-1, Principal, Secondary and Conditional Land Uses. Table 16C-1 shall be interpreted as followed:

A. If a dash (-) appears in the box at the intersection of a column and a row, the use is not allowed in that zoning classification.

B. If the letter “P,” for “principal,” appears in the box at the intersection of a column and a row, the use is allowed in that classification, subject to the development and operational requirements of this and other applicable titles. Principal uses may require approvals including, but not limited to, environmental review, design review, grading, and building permits.

C. If the letter “S,” for “secondary” appears in the box at the intersection of a column and row, the use is allowed as a subordinate use to primary use of the parcel, subject to the development and operational requirements of this and other applicable titles. Secondary uses may require approvals including, but not limited to, design review, grading and building permits.

D. If the letter “C,” for “conditional,” appears in the box at the intersection of a column and a row, the use is allowed subject to conditional use permit procedures and requirements of this and other applicable titles. The conditional use permit process and procedures are set forth in LMC Chapters 16H.50 and 16I.30.

E. If additional lettering appears in the box at the intersection of a column and a row, the use is subject to specific development and/or operational requirements which may be in addition to or in place of general requirements of this and other applicable titles. These requirements are specified within the legend found at the bottom of Table 16C-1.

F. If any use is proposed that is not listed in Table 16C-1, the use shall be classified by the planning officer as primary, secondary, conditional, or not permitted, based on the listed use to which the proposed use is most similar. If the planning officer determines that the proposed use is not similar to any use in the table, the proposed use shall not be permitted. The determination of the planning officer shall be appealable to the planning advisory board as a public hearing.

**TABLE 16C-1. PRINCIPAL, SECONDARY AND CONDITIONAL USES**

<b>Residential Uses</b>										
<b>COMPREHENSIVE PLAN DESIGNATION</b>	<b>COMMERCIAL</b>		<b>RESIDENTIAL</b>						<b>PUBLIC</b>	
<b>DESIGN ZONE DESIGNATION</b>	<b>VCD</b>	<b>DBD</b>	<b>TVD-MR</b>	<b>TVD</b>	<b>MSD</b>	<b>SED</b>	<b>RVD-6000</b>	<b>RVD-4000</b>	<b>PI</b>	<b>Code Section</b>
Detached Units	-	-	P	P	P	P	P	P	-	-
Detached, Small Dwelling Units	-	-	P	P	P	P	P	P	-	-
Semi-Detached Units	-	P	P	P	P	P	P	P	-	-
Townhomes	-	-	-	P (LD)	P (LD)	P (LD)	P	P	-	16E.20.050
Multifamily Development	-	P	P	-	-	-	P (LD)	P (LD)	-	16E.20.040
Cottage Housing	-	-	C	C	C	-	C	C	-	16E.20.020
Clustered Residential Development	-	-	-	-	-	-	C	C	-	<del>18.22.200</del>
Accessory Dwelling Units	-	-	-	S	S	S	S	S	-	16E.20.010
Mixed-Use Residential or Dwelling Units in Principal Buildings Provided that Commercial Units Occupy the First Floor	S	S	-	-	-	-	-	-	-	-
Boardinghouses	-	C	C	C	C	C	C	C	-	-
Facilities for Caretakers of Public Institutional Uses	-	-	-	-	-	-	-	-	S	-
Adult Family Homes	S	S	S	S	S	S	S	S	-	16E.30.010
Senior Retirement Center/ Facility	-	C	C	C		C	C	C	-	16E.30.020

<b>Transient Accommodations</b>										
<b>COMPREHENSIVE PLAN DESIGNATION</b>	<b>COMMERCIAL</b>		<b>RESIDENTIAL</b>						<b>PUBLIC</b>	
<b>DESIGN ZONE DESIGNATION</b>	<b>VCD</b>	<b>DBD</b>	<b>TVD-MR</b>	<b>TVD</b>	<b>MSD</b>	<b>SED</b>	<b>RVD-6000</b>	<b>RVD-4000</b>	<b>PI</b>	<b>Code Section</b>
Bed and Breakfast Rooms (In the building of principal use)	P	P	S	S	S	S	S	S	-	16E.34.010
Bed and Breakfast Rooms (Not in the building of principal use)	P	P	C	C	C	C	C	C	-	16E.34.010
Campgrounds	-	-	-	-	-	-	-	-	C	16E.34.040
Guest Houses	-			S	S	S	S	S	-	16E.40.010
Hotels, Motels and Bed and Breakfast Inns	P	P	C (B&B Only)	-	-	-	-	-	-	B+B (16E.34.020)
Tourist Accommodations-Commercial	P	P	-	-	-	-	-	-	-	16E.34.030

**LEGEND**

VCD=Village Center Design DBD=Dispersed Business Design TVD=Traditional Village Design TVD-MR=Traditional Village Design-Mixed Residential  
 MSD=Modern Subdivision Design SED=Sensitive Environment Design RVD= Rural Village Design PI=Public/ Institutional  
 P=Principal Use C=Conditional Use S=Secondary Use (-)=Non-Permitted Use (LS)=Subject to Location Standards (LD)=As Part of Land Division

Represents a Change Between the Existing and Proposed Zoning to Make the Regulations Internally Consistent

Represents a Policy Change Between the Existing and Proposed Zoning

## Commercial Uses

COMPREHENSIVE PLAN DESIGNATION	COMMERCIAL		RESIDENTIAL						PUBLIC	Code Section
DESIGN ZONE DESIGNATION	VCD	DBD	TVD-MR	TVD	MSD	SED	RVD-6000	RVD-4000	PI	Code Section
Retail and Wholesale Sales	P	P	-	-	-	-	-	-	-	-
Personal services	P	P	-	-	-	-	-	-	-	-
Restaurants (Exclusive of Fast Food or Drive Inn) and Taverns	P	P	-	-	-	-	-	-	-	-
Taverns	P	-	-	-	-	-	-	-	-	-
Offices	P	P	-	-	-	-	-	-	-	-
Residential-Zone Offices	-	-	-	€	€	€	C	C	-	16E.38
Type I and II Home Occupations	-	-	-	§	§	§	§	§	-	18.22.060
Type III Home Occupations	-	-	-	€	€	€	€	€	-	18.22.060
Home Occupations (HO)		§	§							-
Home Occupations Exceeding 600 Square Feet		€	€							-
Type I Non-Residential Uses	-	-	P/S (LS)	P/S (LS)	P/S (LS)	P/S (LS)	P/ S (LS)	P/ S (LS)	-	-
Type II Non-Residential Uses	-	-	P/S (LS)	P/S (LS)	P/S (LS)	P/S (LS)	P/ S (LS)	P/ S (LS)	-	-
Type III Non-Residential Uses	-	-	C (LS)	C (LS)	C (LS)	C (LS)	C (LS)	C (LS)	-	-
Medical-Dental Clinics	P	P	-	-	-	-	-	-	-	-
Veterinary Clinics for Small Animals	-	C	-	-	-	-	-	-	-	-
Theaters	P	-	-	-	-	-	-	-	-	-
Consumer Goods Repair	S	-	-	-	-	-	-	-	-	-
Service Stations	C	C	-	-	-	-	-	-	-	-
Nurseries	-	P	-	-	-	-	-	-	-	-
Health Clubs	-	P	-	-	-	-	-	-	-	-

### LEGEND

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P=Principal Use C=Conditional Use S=Secondary Use (-)=Non-Permitted Use (LS)=Subject to Location Standards (LD)=As Part of Land Division

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## Other Uses

COMPREHENSIVE PLAN DESIGNATION	COMMERCIAL		RESIDENTIAL						PUBLIC	Code Section	
	VCD	DBD	TVD-MR	TVD	MSD	SED	RVD-6000	RVD-4000	PI		
<del>Accessory Buildings</del>	-	-	-	-	-	-	-	-	-	-	18.22.050
Accessory Structures and Uses	S	S	S	S	S	S	S	S	-	-	16E.40.010
Antennas and Parabolic Antennas (over 3.39 feet in diameter)	C	C	C	C	C	C	C	C	C	-	-
Churches and Private Schools	-	C	C	C	-	C	C	C	-	-	-
Computer/ Internet/ Software and Related Technology Uses	-	-	C	C	-	C	C	C	-	-	16E.40.020
Day Care Centers	-	P	C	C	C	C	C	C	-	-	16E.32.020
Foster Homes	-	S	S	S	S	S	S	S	-	-	-
Home Day Care	-	S	S	S	S	S	S	S	-	-	-
In-Home Family Day Care	S	S	S	S	S	S	S	S	-	-	16E.32.010
Libraries and Museums	C	C	-	C	-	-	-	-	P	-	-
<del>Municipal Facilities</del> <b>COVERED UNDER PUBLIC FACILITIES</b>	-	-	-	-	-	-	-	-	P	-	-
Nursing and Convalescent Center/ Nursing Home	-	C	C	C	-	C	C	C	-	-	16E.30.020
On-Site Hazardous Waste Treatment and Storage Facilities	S	-	-	-	-	-	-	-	-	-	-
Outside Storage and Display	C	-	-	-	-	-	-	-	-	-	16E.10.060
Parking Facilities	P	P	-	-	-	-	-	-	S	-	-
Public and Utility Buildings and Structures (Exclusive of Transmission Lines and Structures)	C	-	-	-	-	-	-	-	-	-	-
Public Facilities	-	C	C	C	C	C	C	C	P	-	-
Public Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	-	-
<del>Public Schools and Grounds, Administrative Office and Related facilities</del> <b>COVERED UNDER PUBLIC FACILITIES</b>	-	-	-	-	-	-	-	-	P	-	-
Quasi-Public Utilities (Private Utilities that are regulated by the State)	-	-	-	-	-	-	-	-	P	-	-
Radio Transmitting/ Receiving and Satellite Signal Receiving over 3.39 feet in Diameter	C	C	C	C	C	C	C	C	C	-	-
Retreat/ Conference Center	-	-	-	C	-	C	C	C	-	-	16E.40.030
Social and Recreational Facilities	P	-	-	-	-	-	-	-	-	-	-
Social Services Facilities	-	C	-	C	C	-	-	-	-	-	-
Wireless Communication Antenna Arrays	S	S	S	S	S	S	S	S	S	-	16E.40.040

### LEGEND

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P=Principal Use C=Conditional Use S=Secondary Use (-)=Non-Permitted Use (LS)=Subject to Location Standards (LD)=As Part of Land Division

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## **16C.40 STANDARDS FOR COMMUNITY DESIGN ZONES**

### **16C.40.010 Standards Established for Community Design Zones.**

Standards related to setbacks, height, density, minimum lot size, maximum lot coverage and other items for each community design zone are hereby established as follows within the Table 16C-2: Community Design Zone Standards and Figure 16C-1: Minimum Lot Size.

### **16C.40.020 Interpretation of Table 16C-2: Community Design Zone Standards**

Table 16C-2 shall be interpreted as follows:

A. If a number appears in the box at the intersection of a column and row, the number shall be measured according to the unit measurements specified in the bolded heading that applies to the box.

B. If a superscript number appears to the right of an entry within a box, the number shall relate to the notes for the table listed below and be applied to the proposal.

### **16C.40.30 Notes for Table 16C-2**

The following notes shall apply to Table 16C-2:

<sup>1</sup> A building may be built five feet taller than the maximum height when the building includes a pitched roof. To meet this standard, the lowest point of the roof must begin below the maximum building height.

<sup>2</sup> On lots one-half acre or larger in size, the height of an accessory building 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 fifteen feet.

<sup>3</sup> Certain parts of the structure or building including, without limitation, cornices, canopies, sun shades, 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 (see also Chapter 16E.10.020 of this code for further reference) **NEW CODE CITATION.**

<sup>4</sup> Where a use within this zone abuts a residential zone, the setback shall be the setback required for the neighboring residential uses.

<sup>5</sup> Where the neighboring uses on the same side of the street contain setbacks that are less than these minimums, the use can be built to the average of those neighboring setbacks.

<sup>6</sup> Setbacks within these zones apply to non-land division projects and the perimeter of the developable land for land divisions. Setbacks inside a land division within these zones are flexible and shall be established in association with an application to divide land.

<sup>7</sup> Standards associated with the allocation of square footage are articulated in Section 16C.44.

<sup>8</sup> Within these zones, submerged lands and all but twenty-five percent of sensitive areas shall be deducted before calculating the development potential for a property.

<sup>9</sup> When the square footage allocation for a property is found to be less than 1500 square feet, the allocation shall be rounded up to 1500 square feet.

<sup>10</sup> Minimum lot size standards listed on Figure 16C-1 do not apply to replats of areas that were previously approved as a planned unit development or clustered residential development.

<sup>11</sup> Floor area limits are applicable to all floors above grade and one-half of the total floor area of a daylight basement.

<sup>12</sup> For a definition of maximum lot coverage, please see the definitions and interpretations section in 16I.

<sup>13</sup> There is no limit for maximum lot coverage in these zones, except what may be required as a result of setbacks.

<sup>14</sup> Where a multifamily unit has the parking within the building, the maximum lot coverage may be increased to 60 percent.

**TABLE 16C-2: COMMUNITY DESIGN ZONE STANDARDS**

	VCD	DBD	TVD-MR	TVD	MSD	SE	RVD-6000	RVD-4000	PI	
<b>Height (in feet)</b>										
1. Principal Structure	Reference 16C.50.020	25 <sup>1</sup>						35		
2. Accessory Structure		15 <sup>2</sup>								
3. Accessory Dwelling Unit	Not allowed		15 feet or eighty percent (80%) of the height of the principal structure, whichever is greater.							
<b>Setbacks (in feet) <sup>3</sup></b>										
1. Front	0 <sup>4</sup>	20 <sup>5</sup>			20 <sup>5,6</sup>		Reference 16C.55.020			
2. Side	0 <sup>4</sup>	5			5 <sup>6</sup>		Reference 16C.55.020			
3. Rear										
a. Principal structure	0 <sup>4</sup>	25 <sup>5</sup>			25 <sup>5,6</sup>		Reference 16C.55.020			
b. Principal structure abutting alley	10 from centerline of alley and no closer than 2 to alley right-of-way	25 from centerline of alley <sup>5</sup>			25 from centerline of alley <sup>6</sup>		10 from centerline and no closer than 2 to right-of-way			
c. Accessory structure (including ADU)	0 <sup>4</sup>	5								
d. Accessory structure (including ADU) abutting alley	10 from centerline of alley and no closer than 2 to alley right-of-way									
<b>Square Footage Allocation <sup>7</sup></b> (habitable floor area per acre for subdivisions only)	N/A				SE-1: <sup>8,9</sup> 2500 SE-2: <sup>8,9</sup> 1500		6000 <sup>8,9</sup>	4000 <sup>8,9</sup>	N/A	
<b>Minimum Lot Size</b>	See Figure 16C-1 <sup>10</sup>									
<b>Maximum Density</b> (in dwelling units per acre)	15	15 <sup>8</sup>		N/A <sup>8</sup>		N/A				
<b>Floor Area Limits <sup>11</sup></b> (in percentage of lot size)										
Up to the first five thousand (5,000) square feet of lot/parcel area.	None			Detached: 40% of lot size Semi-Detached: 50% of lot size		N/A		None		
Additional lot/parcel area over five thousand (5,000) and up to fifteen thousand (15,000) square feet.	None			Detached: 25% of additional lot area Semi-Detached: 35% of additional lot area		N/A		None		
Additional lot/parcel area over fifteen thousand (15,000) square feet.	None			Detached and Semi-Detached: 10% of additional lot area		N/A		None		
<b>Maximum Lot Coverage <sup>12</sup></b> (in percentage of lot size)										
Lots 10,000 Square Feet or Less	None <sup>13</sup>		50% for attached <sup>14</sup> . See TVD for Detached and Semi-Detached.	40%		N/A		None <sup>13</sup>		
Lots 10,000 to 43,560 Square Feet	None <sup>13</sup>			40% for first 10,000 square feet and 30% for area over 10,000		N/A		None <sup>13</sup>		
Lots Over 43,560 Square Feet	None <sup>13</sup>			25%		N/A		None <sup>13</sup>		

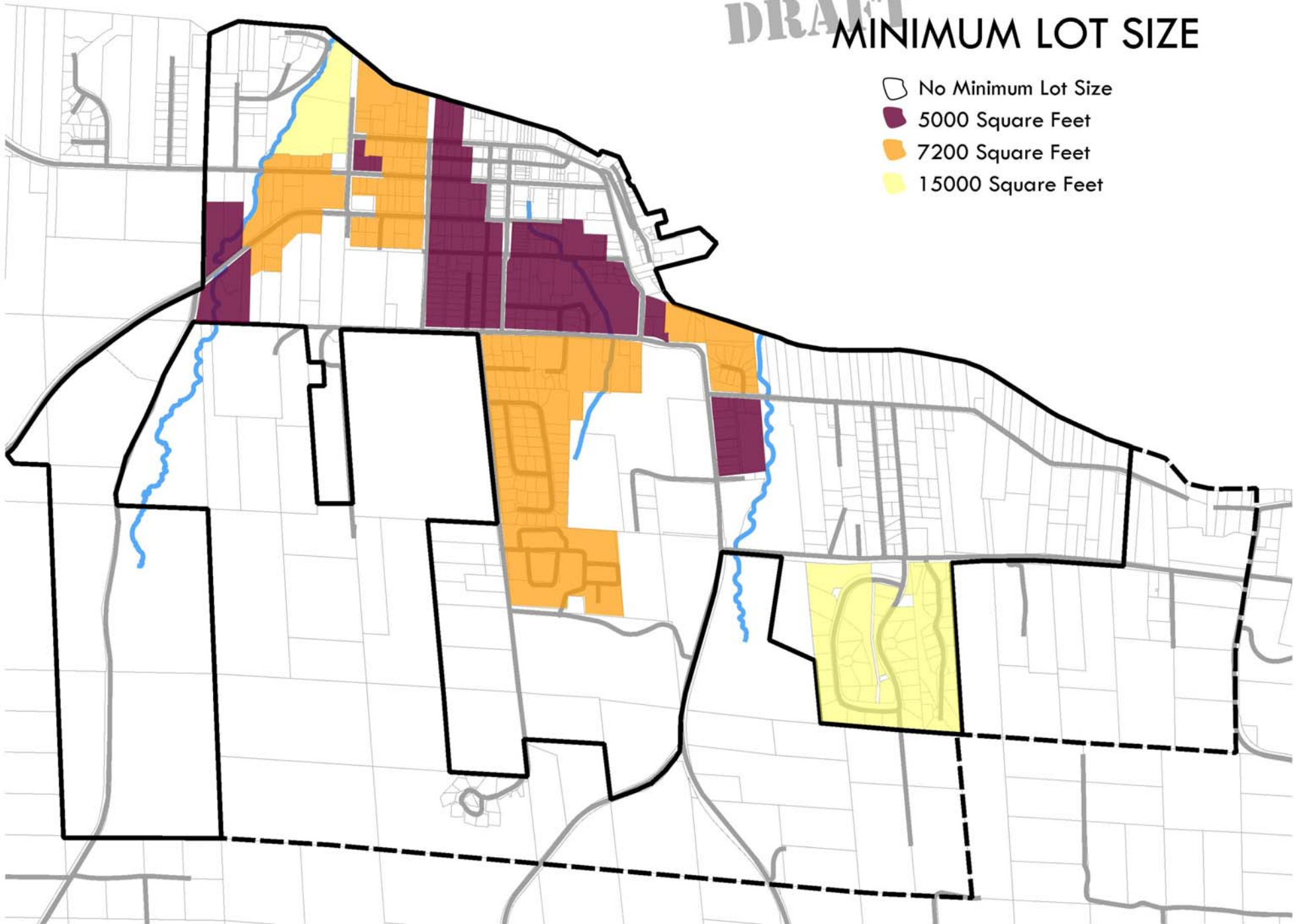
For the notes to the superscript numbers on this table, please see page 16C-10.

FIGURE 16C-1

DRAFT

# MINIMUM LOT SIZE

- No Minimum Lot Size
- 5000 Square Feet
- 7200 Square Feet
- 15000 Square Feet



## **16C.44 SQUARE FOOTAGE ALLOCATION**

### **16C.44.010 Purpose and Intent.**

This section establishes the geographical and numerical basis for allocating square footage in the city and the procedure for calculating said rights by parcel. The intent of this section is to create an allocation method for new land divisions in the sensitive environment and rural village community design zones that rewards smaller home construction as one means of promoting sustainable and context-sensitive development practices.

### **16C.44.020 Habitable Floor Area Standard Established.**

The basis for determining the amount of square footage available to a given parcel of land is hereby established as habitable floor area per acre, or portion thereof, as defined in Chapter 16I.

### **16C.44.040 Calculating and Using the Square Footage Base Allocation.**

This section establishes rules and procedures for calculating and using the square footage base allocation for individual or grouped parcels.

A. Availability. The available square footage base allocation shall be the sum arrived at by multiplying the acreage within each community design zone present on the subject property by the habitable floor area per acre noted in LMC Table 16C-2, subject to the following deductions:

1. The habitable floor area of an existing residential use shall be deducted from the square footage base allocation using the actual floor area or a standard deduction of 1,500 square feet, whichever is lower.

2. There shall be a 100% percent deduction of available square footage base allocation for submerged lands and a 75% deduction of available square footage base allocation for acreage within the subject property that is contained within critical areas as noted within note 8 of Table 16C-2.

B. Applicability. No proposal for new development shall exceed the square footage base allocation unless an applicant is able to augment the available base allocation using one or more of the methods described in LMC 16C.48.

C. Exceptions. The following shall not be counted against the square footage base allocation:

1. The square footage of habitable floor area within accessory dwelling units; and

2. The non-habitable floor area of permitted accessory uses.

## **16C.48 AUGMENTATION OF SQUARE FOOTAGE ALLOCATION**

### **16C.48.010 Purpose.**

The purpose of this section is to establish a means by which property owners can, subject to consistency with citywide planning objectives, choose to augment their square footage base allocation.

### **Section 16C.48.020 Intent.**

The intent of this section to establish opportunities for private property owners within certain community design zones to participate actively and with fair compensation in helping the community meet its long-term goals of sustainability, connectivity, diversity and context-sensitivity. In particular, this section supports the goals of housing affordability and diversity, promoting infill, open space preservation and public health and recreation.

**16C.48.030 Augmentation of Square Footage.**

This section establishes standards by which property owners can augment their square footage base allocation by providing for the dedication of land for permanently affordable housing and for pedestrian access into and/or through priority areas for trails as shown in Figure OS-6 of the Parks, Open Space and Trails Element of the Langley Comprehensive Plan.

A. Eligibility. This subsection shall apply to properties within the Rural Village Design – 6000 Zone. Eligibility may also extend to the Sensitive Environment and Rural Village Design – 4000 zones if the application meets the criteria established below concerning public pedestrian easements.

B. Square Footage Augmentation Options Defined. Eligible property owners may apply to exercise augmentation of their square footage base allocation for the following purposes:

1. Affordable Housing. In conjunction with or separate from a development application, eligible property owners may apply for square footage augmentation in exchange for dedication of land as a separate lot of record to a community housing trust or similar organization whose by-laws support the creation of permanently affordable housing. This lot shall be provided in addition to any lots donated subject to Diversity Standard 3 in Chapter 16G.60, and the minimum size of the dedicated lot shall be 5,000 square feet.

2. Public Pedestrian Easement. In conjunction with or separate from a development application, eligible property owners may apply for square footage augmentation in exchange for granting of a public pedestrian access easement when said location is determined by the City as assisting in the implementation of the citywide trails network described in Figure OS-6 of the Parks, Open Space and Trails Element of Comprehensive Plan.

C. Effect of Exercising a Square Footage Augmentation Option. The effect of a successful application to augment square footage base allocation under the provisions of this section will be to add the following amount of habitable floor area to the development right base allocation:

1. Affordable Housing Option. The square footage base allocation per acre shall be augmented by five (5) percent of the total dedicated land area [example: a dedication of a 10,000 square foot lot for affordable housing would result in 500 square feet per acre being added to the base allocation].

2. Public Pedestrian Easement. The square footage base allocation per acre shall be augmented by fifty (50) square feet per acre for every hundred (100) linear feet of public pedestrian easement granted [example: granting a 500-foot trail easement would result in 250 square feet per acre being added to the base allocation].

**16C.50 ADDITIONAL STANDARDS – VCD ZONE**

**16C.50.010 Standards established (NEW)**

The following supplemental standards are hereby established for the Village Center Design Zone.

**16C.50.020 Maximum height (FROM 18.16.070)**

A. The maximum height in the ~~CB~~ VCD zone is thirty feet, provided that the height may be built to thirty-five feet with a pitched roof if the lowest part of the pitch begins no higher than thirty feet; provided, further, that the height limit on the north side of First Street shall be twenty-five feet with the height measured from the center of the side(s) of the building fronting on First Street extended to the center line of the First Street right-of-way; provided further that on steeply sloping lots fronting on First Street, development shall step down the bluff and, thereby, better fit with the site terrain and be more compatible with the adjacent Seawall Park. The City's design review process will determine consistency with these requirements for each development application.

B. The building height governing the two blocks between Second and Fourth Streets on Cascade Avenue shall be twenty-five feet. In this area height will be measured from the center point of the side(s) of the building fronting Cascade Avenue extended to the centerline of the Cascade Avenue right of way. If the building is set back significantly down-slope (i.e. to the west) the total height may be up to thirty-five feet, but not to exceed the above-measured twenty-five foot elevation over Cascade. (Ord. 650, 1993; Ord. 646, 1993; Ord. 566, 1990; Ord. 527, 1989; Ord. 670, 1994)

**16C.50.030 Commercial Uses Adjacent to Residential Zoning (FROM 18.16.085)**

The following special standards apply in cases where development is proposed immediately adjacent to property that is zoned residential. All other standards applicable to development in this zone and not in conflict with the following also apply:

A. Uses. Taverns and cocktail lounges and outdoor and/or amplified music are prohibited.

B. Setbacks. The setbacks shall be as follows:

1. Front, ten (10) feet;
2. Side, five (5) feet;
3. Rear, twenty-five (25) feet.

C. Height. The height limit shall be the same as the adjacent residential zone height limit.

D. Location of parking. Parking shall be located on the side of the property opposite from the residential zoning or in the rear of the property. If the parking is in the rear of the property, screening is required to buffer the parking area from the residential property.

E. Building design. The building development shall be compatible in scale and character with the residential buildings in the vicinity.

F. Applicability. In cases where the development involves more than one parcel, the above regulations shall apply to the parcel adjacent to the residential zone and, in cases where the development involves a parcel with a lot width greater than 40 feet, the above regulations shall apply to the first thirty (30) feet that are adjacent to the residential zoned area. (Ord. 696, 1995; Ord. 771, 1999) **CHANGED SEMICOLONS TO PERIODS.**

**16C.50.040 Binding site plan. (FROM 18.16.090)**

A binding site plan is required for commercial development in instances where only a portion of the contiguous property which is zoned commercial and in one ownership is proposed to be developed or where multiple developments are proposed on contiguous property in one ownership. The binding site plan shall include the information specified in 16G.40.020. and shall include:

~~— A. All information required on a preliminary plat;~~

~~— B. The location of all proposed structures;~~

~~— C. A detailed landscape plan indicating the location of existing vegetation to be retained, location of vegetation and landscaping structures to be installed, the type of vegetation by common horticultural name, the installed and mature height of all vegetation;~~

~~— D. Schematic plans and elevations of proposed buildings with samples of all exterior finish material and colors, the type and location of all exterior lighting, signs and accessory structures;~~

~~— E. Inscriptions or attachments setting forth the limitations and conditions of development; and~~

~~— F. The provisions insuring the development will be in conformance with the site plan as approved. (Ord. 565, 1990; Ord. 527, 1989) COVERED WITHIN THE LAND DIVISION CHAPTER~~

**16C.50.050 Design review. (NEW. PREVIOUSLY ADDRESSED IN 18.34.030)**

Development in the VCD zone is subject to design review in accordance with the procedures contained in Chapter 16H.70 of this code.

**16C.50.060 Requirement to connect to City water and sewer systems. (FROM 18.16.100)**

All development in this zone is required to be served by the City's public water and sewer systems. See Title 13 LMC for connection requirements.

(Ord. 696, 1995) (Ord. 820, 2002)

## 16C.54 ADDITIONAL STANDARDS – DBD ZONE

### 16C.54.010 Standards established

The following supplemental standards are hereby established for the Dispersed Business Design Zone.

### 16C.54.020 Binding site plan. (FROM 18.18.080)

A binding site plan is required for commercial development in instances where only a portion of the contiguous property which is zoned commercial and in one ownership is proposed to be developed or where multiple developments are proposed on contiguous property in one ownership. The binding site plan shall include the information specified in 16G.40.020, and shall include:

- A. ~~All information required on a preliminary plat;~~
  - B. ~~The location of all proposed structures;~~
  - C. ~~A detailed landscape plan indicating the location of existing vegetation to be retained, location of vegetation and landscaping structures to be installed, the type of vegetation by common horticultural name, the installed and mature height of all vegetation;~~
  - D. ~~Schematic plans and elevations of proposed buildings with samples of all exterior finish material and colors, the type and location of all exterior lighting, signs and accessory structures;~~
  - E. ~~Inscriptions or attachments setting forth the limitations and conditions of development; and~~
  - F. ~~The provisions insuring the development will be in conformance with the site plan as approved.~~
- (Ord. 565, 1990; Ord. 527, 1989) **COVERED WITHIN THE LAND DIVISION CHAPTER**

### 16C.54.030 Design review. (NEW. PREVIOUSLY ADDRESSED IN 18.34.030)

Development in the DBD zone is subject to design review in accordance with the procedures contained in Chapter 16H.70 of this code.

### 16C.54.040 Requirement to connect to City water and sewer systems. (FROM 18.18.090)

All development in this zone is required to be served by the City's public water and sewer systems. See Title 13 LMC for connection requirements.

(Ord. 696, 1995) (Ord. 820, 2002)

## 16C.55 ADDITIONAL STANDARDS – PI ZONE

### 16C.55.010 Standards established (NEW)

The following supplemental standards are hereby established for the Public Institutional Zone.

### 16C.55.020 Setbacks. (FROM 18.19.060)

Setbacks in the PI zone are:

- A. Streets.
  1. Arterial streets: fifty feet,
  2. Other streets: twenty-five feet;
- B. Side yard: twenty feet;
- C. Rear yard: twenty-five feet;
- D. PI Zone Abutting Residential, ~~Mixed Residential~~ or Commercial Zone(s).

1. Where a PI zone abuts a lot which is zoned residential, there shall be a minimum setback from the common lot line of fifty feet with a minimum of the first twenty feet from the common lot line landscaped,

2. Where a PI zone abuts a lot(s) zoned TVD-MR or commercial, there shall be a minimum landscaped setback of twenty feet from the common lot line. **CHANGED CODE CITATION**

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. 569, 1990; Ord. 562, 1990)

**16C.55.030 Design review. (FROM 18.19.070)**

Development in the PI zone is subject to design review in accordance with the procedures contained in Chapter 16H.70 of this code. (Ord. 562, 1990) **CHANGED CODE CITATION**

## **16C.58 ADDITIONAL STANDARDS – TVD AND MSD ZONES (WITH 15,000 SQUARE FOOT MINIMUM LOT SIZE)**

**16C.58.010 Standards established (NEW)**

The following supplemental standards are hereby established for the TVD and MSD Zones in areas where the minimum lot size is 15,000 square feet.

**16C.58.020 Lot clustering (FROM 18.08.070 WITH MINOR CHANGES)**

On parcels over two acres, a density bonus of twenty-five percent is allowed in conjunction with lot clustering as part of a land division, subject to the following: fifty percent or more of the site is reserved for permanent open space. (Ord. 527, 1989)

## **16C.60 FAIRGROUNDS OVERLAY DISTRICT FROM Chapter 18.21**

**16C.60.010 Purpose and Intent.**

For consistency with the Comprehensive Plan and to recognize and support the historic role of the Island County Fair, the intent of this chapter is to establish a range of permitted uses and standards governing those uses that might otherwise not be permitted within the P-1 underlying zoning district.

**16C.60.020 Relationship to PI Design Zone Zoning District.**

The Fairgrounds Overlay District shall be considered an overlay to the underlying ~~P-1 Zoning District~~ Public/ Institutional (PI) community design zone. Development within the Fairgrounds Overlay District shall meet the requirements both of this ~~section and chapter and Chapter 18.19, P-1 Zone Public Use~~ the requirements for the PI zone.

**16C.60.030 Geographic Applicability.**

The provisions of this chapter shall apply solely to the area identified on the Official Zoning Map, constituting that area owned by Island County and operated by the Island County Fair Association.

**16C.60.040 Principal Uses.**

The following uses are permitted as principal uses within the Fairgrounds Overlay District. Refer to subsection 16C.60.060 for the list of supplemental use standards that govern some of these principal uses. All proposed new uses or changes of use require City review and approval prior to commencing such uses.

1. Administrative and business support services (see 16C.60.060(1))

2. Carnival and amusement rides
3. Child care (see 16C.60.060(2))
4. Circus (see 16C.60.060(3))
5. Commercial product sales, testing and demonstration (see 16C.60.060(12))
6. Camping (day or overnight)
7. Disaster or emergency response staging area (see 16C.60.060(8))
8. Structure and vehicle maintenance related to the fairgrounds
9. Fair, festival, rodeo, bazaar, garage sale, flea market or similar event
10. Automated teller machines during events
11. Food and beverage services, including banquets, catering and concessions (see 16C.60.060(4))
12. Hostels or similar hospitality service
13. Human health and welfare services (see 16C.60.060(5))
14. Live entertainment (see 16C.60.060(6))
15. Livestock, pet or other animal or agricultural exhibition, show, competition, training or sales
16. Meeting, conferences or symposia
17. Outdoor recreation, picnics or social events
18. Political events, public meetings or occupational training
19. Recreational vehicle or tent camping
20. Religious, educational, charitable or community events
21. Straw and manure holding facility
22. Telecommunications facility
23. Theatrical productions, filming or photographic shoots
24. Therapeutic riding
25. Trade and consumer shows
26. Temporary warehousing, storage or distribution (see 16C.60.060(7))
27. Recycling or composting activities
28. Community based agriculture
29. Health or dance classes **CHANGED CODE CITATIONS**

**16C.60.050 Conditional Uses** (see 16C.60.060(9)). **CHANGED CODE CITATIONS**

The following uses are permitted as conditional uses within the Fairgrounds Overlay District, pursuant to the issuance of a conditional use permit.

1. Major events where the available on-site parking is not adequate to serve the event.
2. Expansion of the existing camping area.

**16C.60.060 Supplemental Use Standards.**

Where applicable, the following supplemental use standards shall apply to applications within the Fairgrounds Overlay District:

1. Administrative and business support service uses must be associated either with the Island County Fair or with a regular user of the fairgrounds.
2. Child care uses must be operated by either a nonprofit group or a public agency.
3. Circus uses are limited to three (3) events per calendar year for three (3) days maximum duration.
4. Food and beverage service uses must be associated with an event sponsored by an approved principal use.
5. Human health and welfare services are limited to those conducted by a public agency.
6. Live entertainment events not associated with the Island County Fair are permitted only with a City of Langley special event permit and may be conditioned with respect to lighting, hours of operation, noise levels, site policing or other event activities.

7. Temporary warehousing, storage and distribution uses shall be limited to less than one year of consecutive duration. All such uses must be located within buildings that are typically in use by the Island County Fair during fair time.

8. Disaster or emergency response staging uses may include such temporary activities such as a public address system, heliport, communication equipment, command center and temporary housing.

9. Applications for conditional uses must specify the location, duration and scale of the proposed use.

10. All uses within the Fairgrounds Overlay District that generate Washington State Sales Tax must apply for a City of Langley Business License and report all taxable sales.

11. Each use must comply with applicable building and fire codes as they apply to building or grounds in which the use is located. The Building Official must approve all occupancies.

12. Commercial sales, product testing and/or demonstration shall be limited to five (5) such events per year and three (3) days per event.

## **16C.65 WHARF STREET OVERLAY DISTRICT**

### **FROM 18.10**

#### **16C.65.010 Purpose and Intent.**

For consistency with the Comprehensive Plan and to recognize and enhance the historic importance of the Wharf Street area to the economic and social vitality of the greater Langley community, the intent of this chapter is to establish context-sensitive regulations that are intended to complement those regulations already in place in the underlying zoning districts. Paramount considerations in establishing the Wharf Street Overlay District are honoring the historic developmental footprint, protecting vital critical areas and recognizing spatial and access constraints.

#### **16C.65.020 Relationship to Underlying Zoning Districts.**

The Wharf Street Overlay District shall be considered an overlay to the underlying zoning districts within the area of geographic applicability. Development within the Wharf Street Overlay District shall meet the requirements both of this chapter and of the underlying zoning district. In the event of any conflict between the provisions for the underlying zoning district or the provisions of this chapter, the provisions of this chapter shall prevail.

#### **16C.65.030 Geographic Applicability.**

The provisions of this chapter shall apply solely to the area identified on the Official Zoning Map as the Wharf Street Overlay District.

#### **16C.65.040 Context-Sensitive Standards.**

To fulfill the purpose and intent of this chapter, the following use and development standards shall apply within the Wharf Street Overlay District. To assist in the implementation of these context-sensitive standards, the document entitled “Wharf Street Form-Based Design Approach,” hereby adopted and made a part of this chapter by this reference, shall define the appropriate design context for all applications for development within the Wharf Street Overlay District.

A. Ground Floor Residential Use. While a mix of commercial and residential uses consistent with the ~~Central Business~~ Village Center Design zoning district is preferred within the Wharf Street Overlay District, ground floor residential use is permitted to the following extent:

**CHANGED ZONE NAME**

1. Properties South of Phil Simon Park. Up to 100% of the ground floor may be occupied by primary or secondary residential uses.

2. Properties North of Phil Simon Park. Up to 75% of the ground floor may be occupied by primary or secondary residential uses.

B. Toe of Slope Setback. In recognition of the historic use of that area at the toe of the Cascade bluff that is subject to the toe of slope setback established at LMC 16F.60.010(C)(1)(a), the following standards shall apply within the Wharf Street Overlay District: **CHANGED CODE CITATION**

1. Except as modified by subsection (B)(2) below, the setback shall be the toe of the slope.

2. For proposals that seek to implement the retaining wall concept as described and defined in the “Wharf Street Form-Based Design Approach,” the setback shall be twenty (20) feet from the toe of the retaining wall.

3. All proposals to develop within fifty (50) feet of the toe of the slope shall be required to prepare and submit a geotechnical report that analyzes potential slope impacts and proposes a design that protects the long-term stability of the Cascade bluff.

C. Parking Requirements. The following standards shall supplement and, in the case of conflict, replace like standards contained in LMC 16E.50.020: **CHANGED CODE CITATION**

1. Each application for development or change of use must submit a parking plan that explains how parking to serve the proposal will be accommodated.

2. Every proposed residential unit must be associated with at least one on-site parking space dedicated for use by that unit. For every four units developed in a single complex, one additional on-site parking space must be provided.

3. Each parking plan submitted shall provide specific proposals for reducing the amount of area used for parking within the District. Options such as tandem parking, reduced parking space dimensions, off-site parking, shared parking, homeowner association adopted restrictions on vehicle size or quantity or other creative options will be considered.

D. Building Height. Building heights within the Wharf Street Overlay District shall be measured from the Base Flood Elevation (BFE).