

**MINUTES  
CITY OF LANGLEY  
PLANNING ADVISORY BOARD  
March 10, 2010**

Chair Jim Sundberg opened the meeting at 6:39.

**ATTENDANCE**

Members Present: Jim Sundberg, Roger Gage, Melanie Shafaat, Julie Buktenica and Fred Geisler  
Members Absent: G. Raymond McCullough  
Council Present: Rene Neff and Robert Gilman  
Staff Present: Fred Evander and Larry Cort

**APPROVAL OF MINUTES**

Julie Buktenica moved to approve the minutes of the February 24<sup>th</sup> meeting. Melanie Shafaat seconded. Jim Sundberg noted a typographical error in Cary Peterson's name on the third page. The board approved the minutes with this correction.

**PROJECT UPDATE**

Larry Cort said the next meeting of the Planning Advisory Board would occur on March 24<sup>th</sup>. Larry said that this meeting would be the start of the Public Hearing on the Langley Passage Plat. Larry said that the meeting would begin at 4:00 and would be held at the Langley United Methodist Church Fellowship Hall.

**PUBLIC HEARING**

Chair Jim Sundberg opened the continuation of the Public Hearing and explained some of the potential alterations to the code that were identified during the Planning Advisory Board's workshop meeting held on March 3, 2010. Jim explained that the Planning Advisory Board had decided to change the names and locations of some of the zones and had lowered the open space percentages in both the Rural Village Design – 4000 (previously Conservation Design) and Rural Village Design – 6000 (previously Rural Village Design) Zones. Director of Community Planning Larry Cort further explained the proposed changes to the code including the removal of buffers from the allocation calculation and the allowance of the 5,000 square foot lot provided as part of the required affordable housing to be included within the open space total.

Jim Sundberg introduced Ron Kasprisin and invited him to discuss the drawings that he had created to test the proposed code. Ron explained the site and drawings and said that different designers would create different designs. Ron said that the code provided a number of different options for development and said that the main difficulty with the code would be the marketing of clustered lots. Ron said that some realtors appreciated a diversity of housing styles and uses because it would allow them to expand their market, but others preferred similar units because it was a known market.

Bob Frause said that Ron's drawings represented a new social strategy that was going against the norm. Mr. Frause said that he did not have a particular issue with the proposed changes, but said that the changes represented a large change. Julie Buktenica said that Langley had changed before in going from old Langley to Northview, and she explained that she had a different way of looking at the changes.

Leanne Finlay asked if all the units could be attached. Larry Cort said that the code established a maximum percentage of attached units.

Maureen Cooke asked if the site would have no garages. Ron Kasprisin said that a number of units in the drawings had attached garages and that the code allowed attached garages.

Rhonda Salerno asked about the number of people and units that were implied from the zoning.

Mira Steinbracher asked Ron how he designed the site to meet the requirements of the gridded street system and the solar access. Ron said that clustering of units could be in direct conflict with solar access and Fred Evander explained that the requirements associated with solar orientation were loosened in the most recent version of the proposed code.

Candace Jordan said that designing a site for clustering and solar access was based on a Midwestern model. Ron said that clustering units was being used throughout the country and was especially important on the west coast because of the quality of landscapes that were still available to preserve.

Leanne Finlay questioned if the square footage approach was being used elsewhere. Ron said that it was his first time designing using square footage, but said that cities elsewhere were using the approach.

Jim Anderson said that the Planning Advisory Board should adjust the ratio of housing allowed in new developments. Mr. Anderson requested that at least fifty percent of the units be traditional detached units. Mr. Anderson also questioned the dead-end road standard in light of the drawings, saying that Al Anderson Road would constitute a dead end road and, as a result, could not get as many units as shown.

Jim Sundberg opened the meeting to public comments about the code. Craig Carty said that the Planning Advisory Board should be congratulated for their work, but said that the Board should reject the entire code. Mr. Carty said that the Planning Advisory Board had done a great job creating a code that implemented the Comprehensive Plan, but he said that he did not like the Comprehensive Plan, and as a result the code should not be approved.

Carolyn Cliff said that she appreciated the fact that the Planning Advisory Board was doing its best to be responsive to the changes suggested by citizens, but said that she was deeply opposed to the proposal. Ms. Cliff said that she had reviewed material provided on the City's website and said that she appreciated the idea of density bonuses rather than requirements for open space preservation. Ms. Cliff said that she felt that the 60 percent and 40 percent requirements were too much and said that she did not want to be mandated to do something. Ms. Cliff said that she was asking for more changes to the code.

Fred Fossek said that his farm was a family resource and he asked the board to envision the amount of open space that would be required because of the code. Mr. Fossek said that 60 percent of the 75 acres of farm and forest land would consist of a total of 45 acres, or the entire agricultural portion of the site. Mr. Fossek said that the requirement of 60 percent open space would depreciate the family's portfolio in a way that the Fossek family would never do to their neighbors. Mr. Fossek said that stewardship of the required set aside land would also burden a homeowners' association and said that the required open space would decrease the property tax base in the City and County. Mr. Fossek encouraged the Board to reexamine the percentages, to keep on working on models, and to focus on methods to keep people in Langley.

Bob Frause said that he appreciated the dialogue that was occurring about the proposed code changes, and the fact that the Planning Advisory Board had made changes based on community input. Mr. Frause said that people were the most important consideration of the code, not trees or land, and he said that the proposed code was trying to meld people and the environment. He also said that the Board should consider individual investment in property and said that there had not been enough consideration of personal needs and desires.

Cary Peterson said that not all people's needs were represented by the existing code and she explained that she felt that this code better addressed her needs because she could not afford housing. She also said that she did not feel like the code was social engineering; she felt the code was different, but represented an upswell of future trends.

Dean Enell said that the Island County Planned Residential Development code allowed double the density when open space was protected and said that the Planning Advisory Board's proposed code had achieved both goals of allowable development and open space. Mr. Enell said that residential development was a loss leader for cities and he said that he appreciated the dialogue on the proposal.

Carl Magnusson said that he felt that it would be more difficult for legacy property owners to develop under the current proposal. He said that, under the current zoning, the legacy owner of a property could bring a sewer to the site and develop the area. Mr. Magnusson said that under the proposed code there would be more selling to developers and it would be more difficult for realtors and property owners. Mr. Magnusson said that the proposal was nudging people

to smaller units and he said that the fee structure should also mimic this trend. Mr. Magnuson lastly said that the City should manipulate the data in the code to allow the code to be searchable by zone.

John Lee said that the issues of public, private, individual and community were real in every community and he said that it was a privilege to see these issues interacting in the discussion. He said that “most of the future will happen without me” and said that he appreciated the need to plan for the future.

Dorothy Anderson said that she liked the code, but said that the RVD-4000 Zone should allow more flexibility in the amount of open space. She said that a good requirement would be 20 percent open space and she said that she felt for people that had a lot of property. Fred Fossek said that 20 percent of the Fossek Farm would be 15 acres, and he provided a couple examples of what fifteen acres would look like on the farm. He said that this 20 percent would be more manageable and fair.

Rhonda Salerno said that she was thanking the Board for future generations and she asked the Board a number of questions about the code including: was the Comprehensive Plan utilized; had the wetlands in the Edgecliff neighborhood been mapped; and were the buffer zones the same.

Mira Steinbracher said that she did not have solar access and explained that it was difficult to achieve at all times. Ms. Steinbracher said that single-family housing was antiquated and she explained that she wanted diversity, but did not know if South Whidbey was ready for attached housing. Ms. Steinbracher lastly said that she did not want to legislate from the grave, but wanted to leave a legacy.

Gail Fleming said that she felt like the Lorax (i.e. she spoke for the trees, because they couldn't speak for themselves) and said that people live on the land. Ms. Fleming said that she was concerned by the reduction in open space percentages and said that she did not want the percentage to decrease to below 60 percent.

Marianne Edain, citing an article she had recently read, said that single-family was not the standard housing anymore with changing demographics and the aging of baby boomers. She said that there was a huge bulge of baby boomers moving to where the kids were located, and said that these individuals were living in alternative styles of housing. Ms. Edain said that the Planned Residential Developments in the County ended up in many cases looking like the traditional minimum lot size development (as shown in one of Ron Kasprisin's drawings) and she said that flexibility in clustering requirements promoted that appearance. Ms. Edain lastly questioned if Langley alone was hurting because of the recession by noting the many empty storefronts in Freeland. Ms. Edain said that everybody was hurting. Ms. Edain lastly said that the Planning Advisory Board had backed off a great deal from the requirements and said that the Board should not back off further. She said that open space was part of the tourist draw and said that a functional ecosystem was important.

Vance Tillman said that the Growth Management Act was written to have buildings placed within Urban Growth Areas. Mr. Tillman said that he did not see anything based on annexation included within the code and he said that he had also not seen anything about businesses within the code. Mr. Tillman lastly said that the trees on the Fossek property were under an agreement with the Department of Natural Resources and he said that, when they were mature, the trees must be harvested.

Jim Anderson said that he appreciated the fact that the Planning Advisory Board was responsive to public comment and said that many of the discussion items that he raised were addressed. Mr. Anderson said that doing business in Langley was expensive and he suggested that wells be allowed in new subdivisions.

Jim Sundberg closed the public comment period at 8:59.

The Board discussed the process to send the document to the City Council. Fred Geisler explained that the Planning Advisory Board had not written the Comprehensive Plan and said that the Planning Advisory Board was creating a document to translate the Comprehensive Plan into code. Fred said that the Board had done a pretty good job of translating the Comprehensive Plan and he said that he thought that the document was ready to send to the City Council.

Melanie Shafaat said that she thought the Board should reconsider the 60 percent open space requirement in the RVD-4000 Zone. Melanie suggested that the Board move to a 50 percent requirement. Larry said that the Comprehensive

Plan goal sought a “significant” amount of open space, and he said that there were a number of ways to achieve this significant amount including incentives for open space. The Board discussed the issue.

Robert Gilman said that it was hard to come to a place where a document was perfect, and he told the Board that there would be a continuing conversation about the code at the Council level.

Ron Kasprisin said that the Board could consider creating a special planning area for the Fossek property and not address the property within these code changes.

The Board discussed the land within the City limits that was located south of Fairgrounds Road and the potential of increasing the zoning designation to RVD-6000.

Larry Cort said that he heard two issues raised by the public that had not been previously addressed: the dead end street standard and the gridded street standard. The Board determined that the dead end street standard could be addressed elsewhere within the Langley Municipal Code and determined that gridded streets should be encouraged rather than required. Fred Evander asked the Board to consider still requiring the gridded street standard, but to simply remove the first sentence and have the standard specifically apply to the disallowance of single-access road systems, except where unique circumstances limited other road designs. The Board agreed to this change.

Jim Sundberg moved that the Planning Advisory Board recommend that the City Council approve the re-codification and amendments to Titles 16, 17, and 18 of the Langley Municipal Code as amended with further discussion recommended on the developable/ open space split for the RVD-4000 Zone and possible application of the RVD 6000 Zone in areas south of Fairgrounds Road within the City Limits. Melanie Shafaat seconded. The motion was approved unanimously. Fred Geisler abstained from the vote, because he felt that the second portion of the motion regarding further discussion need not be included in the motion.

#### **AUDIENCE INPUT ON NON-AGENDA ITEMS**

There was no audience input on non-agenda items.

#### **ADJOURN**

The meeting was adjourned at 9:55 pm. The meeting was held at Langley City Hall. The next meeting of the Planning Advisory Board will be held at the Langley United Methodist Church on March 24, 2010 at 4:00. Fred Evander recorded the minutes of the meeting.