Staff Report

To: Planning Advisory Board
From: Brigid Reynolds, Director of Community Planning
Date: February 1, 2018
Subject: 2017 Periodic Update of City of Langley’s Comprehensive Plan and Development Regulations

Purpose
To receive the facts and findings and conclusions of law staff report and recommend to Council to approve the Comprehensive Plan and related Zoning Amendments.

Background
The Growth Management Act (GMA) requires cities and counties in the State of Washington to adopt comprehensive plans and development regulation meeting certain requirements (RCW 36.70A.) RCW 36.70A.130 requires local governments to undertake a periodic review of their comprehensive plan every 8 years. Comprehensive Plans must be consistent with the GMA, including its specific provisions, the more general goals and the Washington Administrative Code provisions that implement the GMA. The City of Langley adopted the existing Comprehensive Plan on November 16, 1994 and since then there have been 13 amendments with the most recent being adopted on July 15, 2013. The draft Comprehensive Plan has been prepared using the existing Plan has its foundation. However, there are many revisions and additions to update the Plan with current statistics and issues facing the City, improve readability, remove duplication, and establish a consistent format for both the Plan and the maps.

Comprehensive Plans include goals and policies that provide guidance to City Council, staff, citizens, business owners and other stakeholders related to how the City will grow. The Plan provides the basis for designating land use, infrastructure development and for implementing community services.

The Comprehensive Plan serves as a policy document which sets forth guiding principles to ensure smart growth and desirable development occurs. The Plan includes policies and plans to accommodate 20 years of growth and development, looking to provide strategic plans to provide needed services and amenities in to the future. The Comprehensive Plan is intended to be an all-inclusive document that brings together

This current review process began in 2014 and since then the Comprehensive Plan has been the subject of the following public consultation activities:

• A minimum of 24 PAB meetings
• Two Parks and Open Space Committee meetings
• Four public hearings
• Fifteen Council workshops
• One joint PAB/Council meeting
• One open house
• Three Intergovernmental Working Group meetings
• The draft Plan was discussed at eight regular Council meetings
• Draft documents and meeting notices were posted on the City’s main website and Design Langley
• A comprehensive summary table of public comments are posted on the website
• The source documents of the public comments are compiled and available for review

Summary of Revisions

General

■ The list of elements are Land Use, Parks & Open Space, Transportation, Housing, Utilities & Capital Facilities, Sustainability and Economic Development
■ Goals and policies were revised for clarity, brevity and for consistent formatting within and between each element
■ Some policies were redrafted as they were too broad while others were too narrow
■ Some original policies contained multiple policies and these were broken down
■ In some cases detailed qualifiers were removed as were lists
■ Relevant County Wide Planning Policies (CWPP) have been added
■ New topics and resulting goals/policies that were added: climate change adaptation and mitigation; multi-modal transportation; urban forestry; and community/urban agriculture
■ For each element policies that were broad and regional in nature were separated out and located together
■ Policies that referenced natural resource lands were moved to JPA related goals/policies as there are none in the City
■ Backgrounds for each element have been revised to remove out of date references and details. Statistics have been updated
■ The ‘scenic corridor’ element policies have been integrated throughout the draft Plan
■ References to the Shoreline Master Plan were added to waterfront related policies
■ ‘Levels of Service’ was used extensively and in some cases did not make sense, for example “tree level of service”. The latter references were removed
■ Definitions have been revised to be consistent with the Municipal Code and to add new definitions

Executive Summary

■ Corrected references to GMA requirements
■ Updated purposes of the Comprehensive Plan
■ Incorporated by reference capital facilities plans, CWPPs, Critical Area ordinance, and Shoreline Master Plan
■ Identified most relevant CWPPs
■ Updated public participation process for this review
- Updated Plan Implementation and Monitoring section and moved the policies to the Sustainability Element
- The only changes to the vision and goals were to remove the conditional statement in the goals.

Land Use
- Added relevant county wide planning policies
- Added discussion, goal and policies related to climate change
- Added multi-modal transportation policies
- Updated the land use availability analysis
- Updated population growth statistics

Housing
- Removed reference to 1992 housing conditions survey
- Added more detail about Langley’s housing composition
- Added more detail about housing affordability
- Included Langley’s housing continuum
- Introduced the ‘missing middle’ concept

Transportation
- The Transportation element has been rewritten to reflect a multi-modal transportation network
- Multi-modal transportation related goal and policies were also to the Land Use element. Feet
  First completed a review of the draft goals and policies and many of their recommendations
  have been included as they reinforce the focus on multi-modality
- Trails were moved from the Parks and Open Space element
- Added Complete Streets discussion and policy
- Added discussion regarding the link between land use and transportation
- Identified the need to develop Levels of Service for all modes
- Made consistent with CWPPs
- Added more details about the Port of South Whidbey Harbor at Langley

Utilities and Capital Facilities (UCF)
- UCF were combined into one element as there was a lot of repetition and overlap between the
  two elements
- Updated the mechanisms to fund capital facilities
- Updated six-year improvement plans for transportation, water, sewer and stormwater, public
  facilities, and public works fleet replacement

Parks and Open Space (POS)
- Revised the format to be consistent with the rest of the Comp Plan as was previously based
  upon answering five questions
- Parks and Open Space element has been revised to remove the ‘core open spaces and
  connecting corridors’ concept as this was not well defined in the Plan and is not commonly
understood. “Core open space areas” and “core natural areas” were used interchangeably and therefore unclear. It also relied on ‘core open spaces’ located outside of the reduced UGA

■ Critical areas, their buffers and wildlife corridors are referenced as the core features around which Parks and Open Space planning should take place
■ Removed the circulation plan as it identified specific properties without confirmation from property owners
■ Made clear the distinction between trail corridors and wildlife corridors

Sustainability
■ Updated the background discussion to reflect a more current and detailed understanding of sustainability
■ New goals/policies were added to the Sustainability element including Implementation, Liveable Built Environment, and Climate Change
■ Added discussion and policies about resiliency and emergency planning

Economic Development
■ Minor revision
■ Langley Arts Commission Master Plan (2016) is included as an appendix

Maps
■ The maps have been updated and revised to a consistent format
■ Added a new map that identifies areas where there is a high potential for wetlands to be present
■ The location of newly identified critical areas has been added

Zoning Amendments
■ Attachment No. 2 identifies eight specific properties proposed to be rezoned. Four properties are being rezoned to public use as they are parks, owned by the City or the Port of South Whidbey, two properties are being rezoned from RS7200 to Mixed Residential at the request of the property owner and two properties are being rezoned from RS5000 to Neighborhood Business to reflect an historic commercial use.

Options

1. Recommend adoption of the Comprehensive Plan and Zoning Amendments as proposed, without modifications
2. Recommend adoption of the Comprehensive Plan with modifications.
3. Recommend the Comprehensive Plan not be adopted at this time and direct to staff to make further revisions.
Public Hearing

The Planning Advisory Board heard public testimony at a public hearing on January 30, 2018. The PAB closed oral testimony at the end of the hearing on January 30th. The deadline for written comment was 4:00 p.m. on January 29th. A summary of the verbal comments is attached as Exhibit A. A recording of the public hearing is posted on the City’s website. Written submissions are attached as Exhibit B.

Based on the verbal and written submissions received at the public hearing staff recommends the following modifications to the Comprehensive Plan:

Revise policy LU-7.1 as follows:

| LU-7.1 | Development that increases density (including ADUs, short and long plats) shall not be approved where the necessary infrastructure (sewer, water, stormwater, and roads) cannot accommodate the proposed development or where the City has not required the proponent to pay for or install the necessary infrastructure. |

Revise the reference in the Housing element on page 11 as follows:

The densities found in Missing Middle examples range from 16 up to 50 units per acre. The “missing middle” housing typologies found at the lower end of the density scale can fit Langley’s small-town character.

Revise policy UCF-1.3 as follows:

| UCF – 1.3 | New development, including long and short subdivisions, site plan approvals, and building permits for new principle residential and all commercial development, are required to be served by sewer and water. (CWPP3.4.4-6) |

Recommendation

Based on the work and public consultation activities undertaken to complete the Comprehensive Plan and the testimony presented during the public hearing staff recommends that the PAB recommend to Council to adopt the findings of fact, conclusions of law and staff recommendation with three modifications and adopt Ordinance No. XXX (2017 Comprehensive Plan Periodic Update) and related zoning amendments.

Suggested Conclusions of Law

1. On January 30, 2018 the Planning Advisory Board held an open record public hearing.
2. City staff, Planning Advisory Board and City Council have involved the public in this Comprehensive Plan review.
3. The 2017 periodic review of the Comprehensive Plan is deemed complete and ready for action by City Council.
4. The 2017 periodic review of the Comprehensive Plan complies with the goals and requirements of Chapter 36.70A RCW and Chapter 365-195 WAC.

5. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that cities required to plan under the authority of the GMA must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.

Suggested Findings of Fact

1. On October 3, 2017 the City of Langley provided the required sixty (60) day notification under RCW 36.70A.106 to the State of Washington of the City’s proposed 2017 Update to the Comprehensive Plan and intent to adopt.

2. On October 2, 2017 the SEPA responsible official issued a Determination of Non-Significance. No appeal was filed.

3. On January 9, 2018 a Notice of Public Hearing was posted at City Hall, the Library, the Post Office and City website.

4. On January 10, 2018 a Notice of Public Hearing was included in the water bill for Langley residents.

5. On January 18, 2018 a Notice of Public Hearing was mailed to property owners within 500 feet of properties whose land use designation are proposed to be amended.

6. On January 20, 2018 a Notice of Public Hearing was published in the South Whidbey Record.

7. On January 22, 2018 the location of the public hearing was changed and notices on the website, City Hall, the Library and the Post Office were updated.

8. All public notification requirements for the Planning Advisory Board’s open record public hearing were met.

9. The State Growth Management Act (RCW 36.70A) requires that comprehensive plans be implemented by development regulations such as subdivision regulations, critical areas, and zoning.

10. RCW 36.70A requires the City to adopt a Comprehensive Plan that meets specified GMA goals and addresses the mandated GMA elements.

11. RCW 36.70A.130(1) requires the City to conduct a periodic update of its Comprehensive Plan and development regulations to ensure the Comprehensive Plan and the development regulations be in compliance with the requirements of the GMA.

12. The proposed update to the City’s Comprehensive Plan and Land Use Map will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks and critical areas of the City of Langley.

13. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of the 2017 update to the Comprehensive Plan.

14. The proposed update to the Comprehensive Plan and changes to the City’s Land Use Map are consistent with the Washington State Growth Management Act, the Island County planning policies and other applicable local and state policies, agreements and laws.

15. The proposed changes to the City’s Land Use Map will not have a cumulative adverse effect on the planning area.
16. The Langley Planning Advisory Board completed its required public review process.

Recommended Motion

That the Planning Advisory Board adopt the findings of fact, conclusions of law and recommendation in the staff report and recommend City Council approval of the 2017 Update to the City’s Comprehensive Plan and related zoning amendments.

Attachments

1. 2018 01 30 PAB Public Hearing Minutes (summary).
2. 2018 01 30 Public Hearing written comments received.
MINUTES
CITY OF LANGLEY
PLANNING ADVISORY BOARD PUBLIC HEARING
For the 2017 Comprehensive Plan
January 30, 2018

The meeting was called to order at 5 pm

ATTENDANCE
Chair Thomas Gill, Burt Buesch, JR Fulton, Rhonda Salerno, Roger Gage, Maralie Johnson
Council – Tim Callison, Mayor, Christie Korrow, Peter Morton, Dominique Emerson, Ursula Shoudy,
Staff – Brigid Reynolds, Director of Community Planning and Kelsey Loch, Planning Assistant

Over 60 people were in attendance

Chair reviewed meeting ground rules and read the conflict of interest statement

Barbara Small 67 Second Street – submitted written comments. She read her written statement.

Don Bundy, 1044 Village Loop, Highlands re. the Park in Highlands. The park is designated to the city but it
requires that the HOA maintain that park. I’m part of the interim board that will take over the plat. Looking at
taking out HOA insurance. Taking over this park will increase our insurance costs by more than 10K/year as
public liability insurance to maintain the park. This is undue burden that should not be placed in the HOA. The
only access is across private road through the subdivision. The HOA will have to maintain the roads. There is
no parking for the park and this is a concern. Having lived in two sanctuary cities I’m aware of what happens in
city parks when there is a large homeless population. There are tent cities that crop up. The cites are not
willing to clean up these sites when the homeless leave. I don’t want a tent city and I don’t want to be
responsible to clean up
If we leave this as a public park. I recommend that he city take over the maintenance of the park and release
us. And the city needs to find parking for the park.

Marianne Edain, Env Action Network, Lives in Clinton – submitted written comments. She read her statement
more or less.

Mark Wahl, 416 Fourth Street, Langley – submitted written comments. He read his written statement more or
less.

Coyla Shepherd, Tiny Houses in the Name in Christ, 2620 Sunlight Beach Rd – 7 churches, 3 in Langley
Churches to build and rent on a sliding scale. We want to build tiny homes for workers. We need these workers. We are an aging population. They can’t afford the rents in Langley. Air BNB’s have taken over 100 units that used be rentals. Economic Development Council says the average annual pay is $16235 for workers in the leisure and hospitality sector. There aren’t places to rent for $1000/mos. If affordable housing isn’t available working people will move to where it is affordable. We are losing a critical part of our workforce. Nichols Brothers had to rent and refurbished 6 houses their workers. We need to look at the workers that we encounter every day and think about how we’re going to house these. A worker earning $11/hr. and 30% of their income for housing is only $562/mo.

Dennis Reynolds 130 Fifth St, Langley
Serve as the minister at the UU congregation. In my past life I was the student affairs coordinator at U of O. When working with an architect to build a day care center he said there are two things people are opposed to in land use planning – density and sprawl. It often comes down that kind of choice. That choice shapes affordability and who can live in a community. It’s not about numbers. A sig portion of the community looks like me.

Before coming to the island, I looked at demographic data. In 2000 there were 960 people in Langley and 291 under the age of 18. In 2010 there were 1060 people in Langley and 180 under the age of 18 years. We are a greying community. Number of factors one is the difficulty with finding employment here. My wife and I have one job between us. I have some flexibility with affordability as I have a little pension but small. When moving to Langley looked at different options. We looked at some co-housing options and we discovered 5th st commons – we co-own 1.1 ac with 16 units. I have a sense of that density. It’s great. Community gardens, shared park like space, managed wetland area to deal with parking lot drainage. Most significant is how lives here. Most residents are seniors, but there are young families, single parents, two units are rented by absentee landlords one to a single parent family and one to a family. The single mother thought she’d never own her own home until she found the opportunity with Fifth St Commons. She did a fundraising dance to raise money for the down payment. Another young family that has 5 people in a unit. They may outgrow us but they are able to build home equity and home equity is how people gain wealth.

Down side of this development is that we took 15 rental units off the market. The need to continue to grow. The folks that work in our community need a place to go.
Density directly affects affordability.

Ross Chapin, 628 First St, Langley
Housing discussion is key and we can get into details about GMA and density are whether we’ve reached limits. Key question… What kind of community are we and what kind of community do we want to be? I suggest that we want to be a walkable community. Do we want more density? Maybe yes maybe no. Apparently, we have enough lots to accommodate the projections. The approach of large lots, deep setbacks, single family residences is a prescription for suburbia. We are rural suburbia. To have walkability we need proximity, we need relation to be close to a community. Community is a social engagement.

We need to
I work a lot around personal space and community
Are we getting into a deep water if we are talking about an urban model? Does that mean we are going to be Capitol Hill or Ballard. No. So, take the idea of an urban model off the table. But what we need to have is many housing options. Many of us are grey. But there are younger families, singles, elders and we need housing for all. They are us. Not just a standard house on a standard loss.
Density is an issue about design. Density is about design basics. Can bring in higher density where we don’t see an increase in density. ADU for ex. Detached shared units, Skagway examples for workforce housing. They have difficult challenge with workforce housing. Two lots both 50 X 100 created two buildings – 9 units. They would fit very well here. But you wouldn’t know that it housed this many units.

Affordability – the townhomes at 6th and Cascade could no way be affordable due to land cost and building costs. Trying to require affordability here. It’s complicated because you are adding to the cost. I’m in this business and it’s complex. I work on this everyday and it’s not easy. We need to take a nuanced view not a black and white view. There is a lot of good will here.

Providing housing for elders, house challenged, tiny houses, workforce. But we need to be careful that we don’t aggregate populations in one area so that it becomes the wrong side of the tracks. We need to integrate these housing types into the community rather than segregating them. Check out the Block project.org in Seattle where people are hosting/renting their ADU’s to homeless people.

John Shoveck 1020 Village Loop – want to echo Don Bundy’s comments. Council would like to make this a public park. Right now, it’s a neighborhood park. IF it’s to become a public park the city should maintain it and the street should be made a public street and the parking issue will be a challenge because there is no parking here.

Bob LeClair 126 Sunrise Lane – submitted written comments. He read his written statement.
I hope that ADU’s can happen.

Melissa Sawatzky 120 and 118 Sunrise lane
I am concerned about the language in the POS section that speaks about public access to and across the waterfront. I would like to know what that means. I would like clarification.
There is a lot of vandalism and it’s a concern. Sidewalk gets a lot of use. Owners donated land to add that sidewalk. My kid’s bedroom would be close to this walkway.
I’m a huge proponent of affordable housing

Gail Fleming, 583 Edgecliff Drive – submitted a written statement. She read her statement more or less.
Thank you, Ross for depolarizing the density issue. With creative design density can be ok.

Diane Lantz, 1074 Village Loop
Member of Highland community. City required that we donate the park as a city which I don’t object to. If the city is going to have a park the city should be responsible to maintain the park and the private access to the park puts an undue burden on us to maintain the streets for access and the park.

Tina Goodrich 222 Bowery Loop
I live in the Highlands and I have No problem with tent city. I don’t think it’s going to happen. If the park becomes part of HOA it will raise dues a lot. A lot of folks can’t afford that. I’m one of the them. There will be a problem with parking and access.
I love Langley and I love the 5th St Commons example and I also agree with not have huge lots with one house. That’s not using our resources effectively.
Mira Steinbrecher, 340 Cottage lane
I was on PAB that adopted the cottage ordinance in the 90s. I’ve watched the different planning concepts over the years. 90’s with GMA new urbanism model was prevalent I find those places bleak.
Pockets of development and Transit oriented development but infrastructure and public transit didn’t keep up. In 90’s Ross brought concept of cottages. Only 3 cottages are owned by FT owners and the community doesn’t gel because some folks are only here on the weekends. And the rest of us trying to fit our lives into small spaces.
This is sad because these 2nd homes take rentals of the market and affordable housing off the market.
I’m not sure how you regulate ownership or who lives These were designed that way. Need to look at how housing is used. Today’s concept is missing middle and it’s an urban construct. One of the phrases that concerns me is walkable urban model. The urban part. We have a rural character. Most of owner neighbors. They don’t walk at all. Parking requirements were reduced for this development. Need to consider where we are going and what we value and what we want to live. I want to live in a place with real characters.

Leanne Findlay, PO box 126 Freeland.
Two sides to everything, or more sides.
Second homeowners have more visitors and visitors spend more $$ per person in local businesses. There are benefits to this.
Ross talking about development. Density is word that people are resisting but
Density is word that is good. Ross’s examples are dense when you look at number of units per acre.
Apt buildings increase height – not a lot of density.
Langley has sewer and nowhere on South Whidbey is there sewer. With sewer you can build up. Sewer built to accommodate 2400 hook ups. Langley is 1200 people but in the greater SW area there are 15 to 16,000 people. There is a housing crisis. Ask your friends there are young college people, elders needing support, young families. I have a friend and her kid’s family is living with here. There is nothing to rent.
Need to put faces and names to some of these issues. Talk to the owners and workers. Some of these workers are living in Mukilteo. Demand from two ends of the age spectrum – young families and elders. Density is something that we need to accept. Little bit of growth must be in Langley. Development can’t be located in the county. We need to accept density.
Single wide housing can’t get bank financing which is a real limitation. This removes housing options. If someone can’t finance a single wide it is removed and a single-family residence gets built. We are losing housing and we are increasing in population.
Can’t put the gate up once we reach 89 folks. We can’t stay the same.
It would be beneficial to talk with the Island County Housing group regarding housing and how much of a crisis we are in. Housing needs help. Langley is a leader on taking more development because it has sewers.

Carl Magnussen, 625 Edgecliff Dr 30 years,
Contractor, designer and Langley owner
Renovated 3 houses in Langley. One house I converted into a duplex. I was only able to afford to do that because there was no regulatory penalty for creating an additional unit in an existing dwelling.
Page H- 19 number of factors affecting Langley’s housing affordability – I suggest adding that the City fee structure penalizes small units. Small units are subsidizing larger home owners and occupants.
ATTACHMENT NO. 1

City and County requirements for full sewer connection for tiny homes renders this Tiny house concept as meaningless. Actions to reduce barriers include establishing a permissive not regressive permitting fee structure and utility fee structure; waive requirements for units less than 300 SF, permit grey water and composting toilets for units less than 300 sf on a test period for 3 to 5 years and evaluate annually; waive or reduce permitting fees for tiny homes that are built using prescriptive designs.

In recent experience last year. I designed and built a house and approached the city with the plan. Received a discount with the permitting fees for the main small house but when we approached the city with the plan for the ADU I had to go back and pay the full amount on the first house.

Vickie Robin – 851 Suzanne Court
Conceptually when we talk about density. We’re talking about neighbors and community. I would like to encourage us to imagine that making room for more people in our town is a good thing it’s bringing a diversity of skills, people, age groups, friends, community and neighbors that’s going to enrich us.

When talking about worker housing it doesn’t talk about how we want and value our young people. We want our young people to live here and stay here. I encourage people to think in a human way.

I was one of the folks that conceived of the 5th st commons. When people live together in a well-designed community and live close together in a small space with common space. There are economies of scales. As we age and increase health care costs go up. Us grey hairs can’t afford to live this way in the long term in this insecure economy. One way we can do this is to sociability, trading systems, the more sf that I can’t put between myself and my neighbor is a status thing. But it’s not.

We need to consider the value of living in close proximity.

Think about it at a human scale.

We have a built environment. Folks have large houses and ADU’s can be added inside a house. NO additional footprint. Folks that can do it should be encouraged. Shared housing – we don’t need an agency but inspired homeowners. Or turning your home into a duplex.

Bob Le Clair – Sunrise Lane

I think the ideas are wonderful. I hope you can consider some of the ideas for ex ADU’s as long-term rentals
Sewer is expensive but there is lots of capacity. How can building to higher density
Higher density – where can these units be located that there is less impact. More housing would provide some funds for sewer.

Is there a balance that can be reached?
Folks don’t want big apt in the middle of town. But other spots might be good. It could bring in revenue for the city. Can also provide incentives investors.

Linda De Renzo 1056 Village Loop.
I support the other neighbors in the Highlands that we love the park but the city needs to take responsibility for the park, insurance and maintenance cost, access costs. It’s an undue burden for the homeowners and will push people out of the neighborhood.

Barbara Seitle 410 Edgecliff Drive – provided a written statement. She read her statement more or less.
Rolf Seitle 410 Edgecliff Drive
I’m an engineer not an urban planner. I prefer an environment of small houses on small spaces. I’ve lived here 20 years and the wonderful thing about it is that it hasn’t changed very much
Big elephant is we can’t afford maintaining infrastructure.
City has large liabilities with maintaining infrastructure. I recommend that the plan be more realistic. It assumes that a lot of things that can be done. To realize the density, need to figure out how to
More realistic and incremental.
In my 20 years. Not much has changed.
Change the plan so it is a strategic plan.

The Chair asked if there were any more speakers. Hearing none the hearing was closed at 6:36 pm.

In addition to the verbal testimony provided at the meeting the following individuals submitted written testimony.

Barbara Small, email 1/25/18
Marianne Edain, on behalf of the Whidbey Environmental Action Network, email 1/27/18
Mark Wahl, email 1/28/18
Gail Fleming, email 1/29/18
Susan Scott, email 1/25/18
Leanne Finlay, email 1/26/18
Michael Lerner, email 1/27/18
Michael Hoover, email 1/27/18
Guy Burneko, email 1/28/18
Rolf Seitle, email 1/28/18
Carl Magnusson, submitted at the hearing, 1/30/18
Belinda Griswold, email 1/28/18
Colin Adams, email 1/29/18
Autumn Preb, email 1/29/18
Scott Chaplin, email 1/29/18
Gordon Collins, email 1/29/18
Bob LeClair, email 1/29/18 and submitted at the hearing, 1/30/18
Gretchen Lawlor, email 1/30/18
Bob French, on behalf of Nichols Brothers, email 1/30/18
Mike Burroughs, email 1/30/18
Laurie Keith and Fred Geisler, email 1/30/18
Dear Brigid and PAB members,

I again want to commend you on all the hard work that has gone into the drafting of the Comprehensive Plan for Langley. I understand that we are late in process of its pending adoption by the City Council and that major changes to the plan are not practical. Therefore I am limiting my comments to concerns I have about the vision for housing in Langley. I am aware that the GMA mandates that growth on Whidbey be concentrated in the urban growth areas which will impact the pastoral feel of our Village by the Sea. I want to support the creation of affordable housing in Langley, cognizant of the fact that some increase in density is needed. But I don’t believe increased density equals affordable housing. Innovative financing will be needed as well to drive down the costs of land and development. There is a push in the Comp Plan to promote the “missing middle” typology to increase housing density in Langley. It is an urban model that does NOT fit the scale and character of Langley in my view. It includes row houses, multiplexes (defined as compact 2 to 3 story buildings) and live/work buildings. I believe that we can accommodate the growth mandated by the GMA through a more moderate increase in density throughout residential areas with more ADUs and clustered cottage housing. I am asking that Housing goal 1.1 (page 16 of the Housing section) be reworded to “Consider more flexible development standards...” rather than “Include more flexible development standards...” I also ask that Housing goal 1.3, “Actively promote the ‘missing middle’ typology... be completely removed, changed to “Further study the ‘missing middle’ typology... or at least limited to the downtown core. Under Housing goal 2.1, I ask that the goal say “Explore the areas where multifamily...” as opposed to “Expand the areas where multifamily...”

Thank you for considering these slight editorial changes that will allow the City Council more flexibility in implementing the Comprehensive Plan in accordance with public input to the developmental zoning revision process.

Thanks, Babs
WEAN’s comments on the final draft Langley comp plan Housing element 1-27-18

There are a number of assumptions embedded in the revised Housing element which are by no means proven and in some cases actually violate GMA. These need to be enumerated and discussed.

Before commenting on specific language, it must be noted that the comp plan ratchets in only one direction. If a particular action is allowed in the comp plan or development regulations, then any developer who submits an application has a right to rely on that for permission. The City may not deny the application just because it is too curiously awful. It can only be denied for being out of compliance with existing code. That makes it imperative to look very VERY closely at what is included as "allowed" vs "considered."

The corollary to the above is "You see the Inn at Langley. I see Mote! 6." The code may dictate such matters as parcel size and development density. It cannot dictate good taste or even decent construction. This means that all the many new ideas being incorporated need to be examined from the viewpoint of how awful could a proposal be and still be required to be allowed under the proposed language.

Yes, there is a housing crisis. It is not limited to Langley, Whidbey, Island County, or Washington state. It is national and international and has to do with the burgeoning population, increased lifespans, a tendency (at least in "developed" countries) for people to live alone or with only 1 other person, and the fact that the entire world seems to be developing into a two tiered economic system in which there are the ultra-wealthy few who own multiple homes while the vast majority own none. A big question becomes: to what extent can tiny Langley ameliorate this international situation? If Langley's population must grow, what is the most socially and environmentally beneficial model for that growth? There are many non-code options which are not being considered. For years there was a service called WISH - Whidbey Island Share a Home, which paired older singles in large homes with young families. It did great work. And then it disappeared. Why? This is just a single example of the possibilities which do not involve reducing Langley’s high quality of living or amending its comp plan or zoning ordinance.

Rather than offering developers and builders all sorts of benefits, including smaller lots and foregone fees (like sewer hookup fees), we need to look at what truly makes housing affordable. The Al Anderson model is one to be followed. To my knowledge there were no public subsidies for that project, it did not require a variance from zoning, and it is designed to be permanently affordable. There are more such models.

A primary assumption is that greater population via greater density is the goal of both the GMA and the Housing element. This is simply not the case. GMA mandates that the state Office of Financial Management (OFM) set 20 year population projections for each county. OFM produces high, medium, and low population projections. Each county has the authority to choose among the 3. Island County, after many years of choosing over-the-top high end projections, recognized that population growth was not meeting that projected rate and has now chosen a medium population projection. It is then for the
county, in consultation with municipalities and via its CountyWide Planning Policies (CWPP), to assign population projections to each jurisdiction. Island County has done this, and Langley’s 20 year population increase projection is for 89 people. Under GMA each jurisdiction must plan to accommodate that projected increase in population, but not overshoot by planning for more than that number. Langley’s current zoning and platting is such that without a single new rezone or subdivision of land it can accommodate roughly 6 times those projected 89 people. That makes it out of compliance with the CWPP and GMA. To then amend the zoning and density regulations to increase density makes Langley further out of compliance and open to a potential challenge before the Growth Management Hearings Board.

The justification for such increased development potential is the mantra of the day, to provide opportunities for affordable housing. It cannot be stressed strongly enough that simply increasing development density does nothing to increase housing affordability. It merely increases the number of units available. Langley has the excellent example of the Al Anderson Road co-housing project to demonstrate genuine affordability without increased density. This is one model and there are many others. Such innovation is to be encouraged. There is the counter-example of the nearly completed four townhouse units opposite WICA, which have created significant impervious surface in a delicate bluff area and which block our iconic views. These units are rumored to be priced somewhere around $500,000 each. If there is to be any increased density it must be tied to very specific and strong requirements for long-term affordability of the resulting housing.

One proposal is to increase development density in the Sandy Point/Edgecliff area, which is currently zoned at 1 du/15,000 sq ft. There is a reason for this zoning. The 6 watersheds which comprise the area all feed to the steep unstable bluff. Any increase in impervious surface in this area will increase the rate of flow of stormwater to and through the bluff. There is a claim that providing sewer will reduce this flow. While sewers may reduce the flow of water which otherwise would move through septic systems, they do nothing for stormwater or outdoor water use. The prime factor holding the unstable bluff in place is the forest cover in the 6 watersheds. To prevent further bluff erosion that forest cover should be given the highest priority, including large lot zoning and a requirement for retention of trees.

This leads to the issue of protection of critical areas via zoning and development density. The opinion has been expressed that as long as the critical area, usually a wetland, is buffered, there should be no limit to the density of surrounding development. There is a whole body of scientific literature which contradicts that opinion. Simple logic makes clear that a single house on 5 acres next to a wetland will have less adverse impact on that wetland than 20 houses surrounding it. The presence of critical areas should be a fundamental cause for retaining large lot zoning in its contributing watershed.

Specific comments on the draft housing element:

p. H-11, 2nd ¶ cites to a buildable lands analysis completed in 2015. The most recent buildable lands analysis was completed in December 2016. It would be good to refer to the most recent version.

p. H-12, 2nd ¶ This is a false premise, as mentioned above. Increasing development density does NOT increase the amount of affordable housing. It merely increases the amount of housing. Providing for multi-family housing is a good thing, but only if there are stringent requirements to assure affordability. Otherwise we end up with cute little apartments owned by well-off city dwellers and occupied on the occasional weekend.

There is also the statement that reducing barriers to development will create more housing units. Yes it will, but the barriers intended to be reduced are not enumerated. Most barriers to development
were instituted to address problems caused by development. Requiring protection of critical areas is one such barrier which must not be reduced. The specific barriers must be listed and their removal justified, and linked to how their removal will produce more affordable housing.

p. H-13, The Missing Middle. This concept needs more specific definition. The last sentence in this ¶ needs to be amended. While examples may range from 16 to 50 units/acre, only the former of these two is an appropriate maximum density for Langley. The sentence should be amended to read: “The densities found in Missing Middle examples range from 16 to 50 units per acre and the former of these two, 16 units/acre can fit Langley’s small town character. “

p. H-17, The New Boarding House has been stricken entirely. Why? Boarding houses have a long and very successful history. This is the logical alternative to the “tiny houses” being promoted by people who think they are helping the homeless by providing them with boxes, and should be retained in a modified form. I proposed that boarding houses sufficient for up to 30 – 40 individuals, each with a private room and public rooms available to all, be allowed in several areas. There are several SFRs already in Langley which could be modified to host 20 – 30 such individuals. This option should be retained.

p. H-18, Adaptive Re-Use addresses exactly what is mentioned re New Boarding House above.

p. H-18. Tiny Homes. Since there is allowance for these to be on wheels, what differentiates a Tiny Home development from a trailer park? Will an openly stated trailer park be allowed? If not, why not?

p. H-19, bullet points. What is a DADU? I have been informed that this is a Detached Accessory Dwelling Unit. As a matter of copy-editing, please spell out terms the first time they are used in an element.

If the City reduces utility fees, how will the City raise the funds to operate the utility? Increasing maximum height will impact views and solar access for existing development. While there is nothing in law to protect those, there will certainly be some serious blowback from current residents of affected properties. If increased height is to be considered, a serious examination of Langley’s geography and a serious consideration of existing views should be considered, and the increased height allowed only in those areas where it would not conflict with existing views.

I have already addressed the issue of increasing density for all zones. Increased density may be appropriate in some zones, but not in any zone where that increased density will result in further impacts to critical areas.

p. H-22, item H-1.1 strike the word include and substitute the word Consider. Given the long list of items, “include” is a directive while “consider” grants discretion not to include that which may, upon consideration, be determined not to be in the best interests of Langley.

H-1.3, amend as follows: Actively promote the Missing Middle housing typology in the central business core, at a density not to exceed 16 units/acre, that includes row housing, townhouses and small scale apartments.

H-2.1. Expand Examine where multi-family residential will be permitted.

H-2.4 missing from this statement is protection of critical areas. Please add and protects critical areas.

p. H-24. missing from the list of actions for affordability is allowance for rooming houses.
H-4.10 What is an “existing affordable housing site?” Where are these sites described or mapped? What increased density is contemplated? This is a very large item which seems to have dropped in from nowhere and needs a great deal of definition and description.

H-5.1 “special needs housing” is here mentioned for the first time. A definition is required. What sorts of special housing needs are contemplated?
Brigid Reynolds

From: Mark Wahl <mathman@markwahl.com>
Sent: Sunday, January 28, 2018 5:53 PM
To: pab@langleywa.org
Cc: council@langleywa.org
Subject: Comments on the Comp Plan Housing Element for the record


Having worked in a public process for the Comp Plan rewrite some years ago I would like to put in some remarks on the Housing Element.

Some initial values considerations that underlie my remarks are these:

- Langley is a village though it is called a “city,” as is everything up to the size and design of Los Angeles. It is important to keep our Comp Plans design awareness more toward the level of “village” while encouraging younger demographics with affordable housing.
- The GMA mandates preparation for the next 20 year’s projected growth. The OFM and the County project 89 more people; housing increases encouraged by the Comp Plan must scale to this sized increase, not significantly more, to be in GMA compliance.
- Langley definitely needs more affordable housing, a fact that almost everybody accepts.
- Affordability is not an automatic result of densification. It strongly depends on creativity with diverse appropriate targeted zoning, absentee homeowner taxing and fee structures, creative financing plans, progressive development regulations, smart building designs, and political will. Lack of these gives us a density like the apartment-, townhouse-, and condo-packed Lynnwood or Mulilteo, both of which never make “lovable town” or “best place” designation in any survey.
- A comp plan should not be prescriptive, using words like “permit,” “include,” “acceptable” or “allow,” rather than “suggested,” “desirable” or “work towards,” for structures or policies. The former terms open the door for challenges and pushiness by developers eschewing any constraints on profitability. They like to lawyer up and insist on their rights to build dense, unaffordable complexes, insisting that “Langley’s Comp Plan prescribes and allows them.”
- Critical areas require cautious zoning variations and automatically demand less density; uniform densification schemes like those put into the Comp Plan revision threaten sensitive areas with harmful overdevelopment.

With all these principles in mind, I feel that the Comp Plan rewrite on housing that I have seen leans too far away from some of the values listed above. It needs to pull from what Langley’s virtues and strengths are as it skillfully encourages moderate growth. The shrunken UGA is good and densification is good IF done right. This means a cookie-cutter modality is out, and smart use of Langley’s variety, strengths and public savvy is in.

For instance, Langley’s year-long occupancy rate is sad due to many absentee owners using homes a tiny fraction of the year or owning several Langley homes at a distance and leasing them out as vacation rentals. Langley can thoughtfully and cautiously devise rules, fees and/or taxes for homes
unoccupied more than 85% or 90% of the year, and make rules about how many houses can be owned by an absentee landlord—other towns have. This can create more rentals. Loosening restrictions on building "Rooming Houses" in parts of the city automatically creates affordable housing. Somehow the rooming house provisions of the the old Comp Plan were removed.

Langley can consider allowing ADU's to be build on lots with adequate septic (currently forbidden on the Comp Plan) in order to encourage more ADU building and rentals. Langley can look at the lessons of the Upper Langley Al Anderson Road development which has creative covenants that prevent runaway house prices and profiteering. A law that slows development should be removed ONLY when removal can be justified by directly showing that its removal will amplify affordability of housing.

Many other cities have created codes that allow a developer to create living units only when a certain percentage of them are permanently affordable priced or when counterbalanced by developing another set of affordable units. Number of units per parcel must be limited in number to a moderate count that retains Langley's village character, not the character of Lynnwood. If zoning is to be densified it needs to be done in trial areas first not the whole city all at once like the Comp rewrite pushes for. This avoids not only violation of the GMA's restrictions but allows a reasonable trial of the concept in the most amenable areas first.

There is, thankfully, a Tiny House component in the Comp Plan and there is also a current grant initiative by the State Department of Commerce offered to cities that can demonstrate smart affordable housing plans. That means Langley has to demonstrate that it is going beyond zone-changes and regulation-dropping to promote affordability. Including elements like those mentioned above with progressive regulation and thoughtful encouragement of tiny house developments could present Langley to the State as a showcase example of forward progress on affordable housing.

Mark Wahl
Langley
Housing Element Comments

There is widespread agreement that Langley is in need of more affordable housing. The question is how do we achieve that goal while retaining the semi-rural, small town character that makes Langley an attractive place to live and visit.

I believe that one way to do that is to write code containing incentives for using ADU’s for long term rentals across the city. Roughly a third of Langley’s area is served by septic systems and our current code allows ADU’s to be built on those lots. By retaining this ordinance and omitting "including ADU's" from the Land Use Element policy 7.1, which states that all new development requires a sewer hookup, we leave the door open for the creation of many affordable units. We can still comply with the CWPP's through interpretation of the language around "new development" being served by sewer, as well as by making use of variances or waivers. Of course we need to be mindful of potential environmental impacts, and only allow ADU’s where the septic systems can handle them.

Although I understand the intention behind encouraging multi-family housing, there is absolutely no guarantee that such housing will be "affordable." If just building more buildings meant that we would increase our affordable housing stock then I would be all for it. Unfortunately, there is no direct relationship between higher density and affordability. Take, for example, the new town houses across from WICA, which are being sold for around $570,000, or the 4-plex in my neighborhood where the units now rent for $1200 or $1300 a month. It is entirely up to the developer how much he charges for a condo or rental. Perhaps, if tri or four-plexes are allowed across the city we could put in place an ordinance that at least one of the units must be affordable. Otherwise, most landlords will charge as much as they think the market will bear. Remember that Eli Spavek from Portland told us that the only way to make multi-family housing affordable is to build very large apartment complexes. That may be appropriate in a place like Lynnwood or Seattle and I hope such developments are helping the housing situation there. But it is totally out of character for our small town.

As for "increasing the density for all zones" (bullet point on page 12 of the Housing Element), I disagree that this is a necessary or viable option. Total buildout for Langley as it is currently zoned would accommodate 1667 people (Land Capacity Analysis). Since we are required by the GMA to allow for a net increase of 89 people in the next 20 years, there is no need to increase the density throughout the town, especially not "up to 50 units per acre," as stated on page 11 of the Housing Element. In addition, ADU’s, if used for long term rentals, would increase the current capacity.

In fact, there is a reason for the low density in certain areas of Langley. We are constrained (and bound by law) to protect our critical and sensitive areas. Many of the 15,000 sq.ft. lots are on unstable bluffs and/or affected by (or situated in) wetlands. One size does not fit all - we must respect the unique characteristics of different areas within our town.

In conclusion, I affirm the vision of Langley "that maintains its small town historic charm and unique sense of place" (Executive Summary). While encouraging infill in the downtown core, the village-like character and environmental features can be honored by retaining the rural atmosphere farther from the center of town. As stated in the Vision section of the Executive Summary: "New mixed-use, multi-family and single-family housing has been integrated seamlessly into the community in appropriate areas with high design quality that respects the local character and minimizes impacts on critical areas."

If we want to continue to promote ourselves as a "village by the sea" then it behooves us to remain, in fact, a village.

Respectfully,  Gail Fleming
Brigid Reynolds

From: Susan S Scott <sss@whidbey.com>
Sent: Thursday, January 25, 2018 7:17 PM
To: Brigid Reynolds
Cc: PAB@langleywa.org; council@langleywa.org; Tim Calison
Subject: Public Hearing, Comp Plan 1/3/18

Dear Brigid and PAB,

As a resident of Langley for twenty-three years now, I would ask that my letter be added to the public record regarding citizen input for the upcoming Public Hearing on the Comp Plan, 1/30/18. In particular, I am asking our Planning Board and City Council to support plans for densifying Langley in a way that fits with the semi rural nature of Langley. In my opinion, that would include building more Additional Dwelling Units on residential properties, as well as cottage style homes that are no higher than 2-stories.

I do not recommend developing the type of buildings located in more urban environments, such as row houses, multiplexes, and live/work buildings. Also, I am in favor of exploring possibilities for developing affordable housing on the yet to be developed land to the east of Coles Road, just south of Brooks Hill Rd in Langley.

Thank you for considering my letter as the Comp Plan is discussed at the Public Hearing on January 30th.

Respectfully,

Susan S Scott

627 2nd St

Langley, WA 98260
I wanted to make a public comment prior to the public hearing on Tuesday.

All I want to say is because Langley is both a City, and has sewer, with plenty of sewer capacity, we need to see Langley step forward to allow more multi-family housing.

As you all know, and hear repeatedly in the news, and the Island County recent Planning survey study, we have a housing crisis. Our housing crisis isn't just low income or affordable housing – it's also housing that is condominiums or apartments for retirees, young people just starting out in their adult lives, and single adult families with kids.

We don't need more 'mixed use' land, we need more land that simply is multi-family. And we need more condos. But we also still need more single family housing, of course. 3 and 4 bedroom homes would be nice, since the majority of what was built in the last decade was 2 bedroom homes., many of which have been purchased by single adults without kids, or couples without kids.

As a Realtor, I see first hand all over the Southend of Whidbey the issues in housing. Langley is the ONLY place with enough sewer capacity to make a difference, and Langley is the ONLY city.

The Growth Management Act created a bit of a Catch-22 in Washington State. Cities are supposed to be the growth areas. And, Island County was mandated in the 1990's to bring sewers into Freeland – yet that has not happened. So the result ... a true housing crisis. For all price ranges, whether owned units or rental units.

Thanks for reading this and considering the perspective of what the Growth Management Act was created to do – keep the density in the cities.

Did you realize that since 2010 the Unincorporated Island County is growing in population faster than the City of Langley? That is true too, but that is the opposite of what is supposed to happen per that same Growth Management Act.

Thanks for reading,

Leanne Finlay
Brigid Reynolds

From: michael lerner <mlerner108@gmail.com>
Sent: Saturday, January 27, 2018 12:51 PM
To: PAB@langleywa.org; Langley City Council; Fred McCarthy; Brigid Reynolds; mlerner108
Subject: Comment for the final public hearing on the comprehensive plan

Dear Brigid, PAB, Council Members and Mayor:

Thank you for inviting our input for the final public hearing on the comprehensive plan.

My wife Sharyle Patton and have lived an increasing part each year at our home at 413 2nd Street for the past five years.

We are co-founders of the Langley Association of Neighbors Downtown (LAND) which is committed to civility, smart growth, and preserving Langley as the community we all moved here to enjoy.

A few weeks ago a wise Langley friend pointed out to me that because of the time that elapses since their formulation, community plans by their nature always lag behind current resident sentiments and concerns.

I also think it is fair to say that most Langley residents don't pay attention to community plans until they realize, often "late in the game," that the plans will truly change the nature of the town they moved to for its semi-rural nature.

So while it is "late in the game," I would hope that we could encourage any small changes in language that give the current PAB, Council and Mayor more flexibility to implement the plan in keeping with the wishes and interests of Langley residents.

I envision a vibrant downtown Langley where "for rent" signs on business venues are rare. I envision neighborhoods where neighborhood businesses really fit with the neighbors. And I envision increased density that is truly aesthetic and in keeping with the town we all cherish.

This is not at all impossible. My friend and neighbor Ross Chapin has done remarkable work in Langley and nationally to make this kind of vision a reality.

I hope we can sustain a public conversation that goes beyond community plans and zoning hearings and imagines the creative, aesthetic, vibrant community we all want. LAND is deeply committed to civil dialogue. These views are only my own.

Respectfully,

Michael Lerner


--

The only wisdom we can hope to acquire
Is the wisdom of humility: humility is endless.

T.S. Eliot
I regret I can't respond to all email. If I miss your message or you anticipate a response, please re-send with RSVP in the title line. Thanks for understanding, Michael
I would like to encourage you to advocate for multifamily housing. It's a more affordable option that has the advantage of stimulating closer community bonding. It is also more space and energy efficient. I live in a multifamily condominium and feel confident that if more people understood the advantages of "compact" housing they would advocate for it as well.

Michael Hoover
Langley, WA
Please accept these ideas in planning Langley's future:

1) Langley needs much more affordable housing -- in and within walking distance around town.

2) All multi-family developments should include a substantial percentage of affordable units and/or be accompanied by development of some substantial number of affordable units at other locations.

3) Consider Upper Langley and related development ideas for "permanently affordable" housing.

4) Incorporate Tiny Houses more widely throughout the city.

5) Proactively create affordable housing for senior citizen and low income residents.

Thanks for your trouble and consideration

Guy Burneko

--
Guy Burneko, Ph. D.  
Langley, Washington USA  
gburneko1@gmail.com  
360.221.6435  
www.gburneko.blogspot.com

http://independent.academia.edu/GuyBurneko

https://hcommons.org/members/gburneko/
BARBARA SEITLE
410 EDGECLIFF DR.
LANGLEY
JANUARY 29, 2018

COMMENTS ON THE HOUSING ELEMENT OF THE 2018 COMPREHENSIVE PLAN

In addition to and as part of meeting the requirements of the Growth Management Act, a Comprehensive Plan illustrates the vision for the future development of the City and and suggests ways to achieve it. It is a contract with the community based on shared values arrived at through consensus. Zoning and development regulations are the tools used to implement the vision and goals of the Comprehensive Plan. They are also the tools used to protect a community from unwanted intrusions and to promote stability and predictability.

I have read through the old (2013) Housing Element and the new. Both versions discuss the desirability of having a wider range of housing options in Langley, including affordable housing. The biggest difference between the two, as I see it, is that the 2013 version is “suggesting” ways of fitting affordable housing into the fabric of the Langley community. The 2018 version seems to concentrate on affordability and the language appears to be mandating significant changes to both zoning and development regulations to accommodate affordable housing without adequate protections for the community or the unique physical constraints of a seaside village.

In order to bolster the purported need for these changes, new concepts and statements have been introduced. The idea of a “continuum of housing need” is one example of the latest jargon and perhaps the easiest to understand. The “missing middle” certainly needs (a) more definition and (b) clarification as a justification for inserting multi-family housing of between 16 to 50 units per acre into an otherwise single family neighborhood.

The second paragraph on page H-10 presents a danger to neighborhood stability and predictability. It argues for a concept, without evidence, that increased density increases affordability, and goes on to mandate that the City “Must consider ways to increase the land zoned for multi-family as well as enabling multi-family housing to be constructed across the City more broadly”. That phrase begs definition.. The trend continues with additional language enabling the “missing middle” concept.

Page H-10 “Reducing barriers to encourage development”. What barriers?
Page H-12 Possible actions to reduce barriers to creating more housing in Langley include:
3. Reducing utility fees. Someone has to keep the water running. Who picks up the slack?
4. Reducing parking and setback requirements. Offstreet parking is essential to allow adequate flow of traffic. Setbacks are both aesthetically pleasing AND a safety requirement
5. Increasing maximum height. Increased height can reduce vistas – not just for individual homeowners, but for all residents and visitors. Is it appropriate for Langley?

6.
7. Permitting multi-unit housing typologies reflected in the “missing middle” THROUGHOUT THE CITY as a conditional use. Creates neighborhood instability and unpredictability.
8. Permitting multiple tiny homes on a single lot. Why? What justification is there for it?
Smacks of tenement housing.

9. Increasing density for all zones. Totally inappropriate. Need consideration of critical areas, i.e. bluffs, watersheds, drainage basins, realistic wetland buffers, other physical features of importance, neighborhood character. Examine rationale for existing zoning.

Seitel  p.2

H-1.1 Addressed above. No on all points because it is all permissive language with no qualifiers and can easily be misconstrued.

H-1.3 “missing middle “ concept needs further definition. If used, should be confined to downtown core.

H-2.1 Expand – Explore areas where multi-family residential housing may be appropriate.

H-2.3 Rewrite or eliminate “throughout the city” It is too ambiguous.

H-2.4 …neighborhood streets. And encourages street and development patterns that promote social interaction.

H-4.10 Identify “existing affordable housing sites”. Which parcels are they exactly?

Allow- Replace with “consider allowing increased density under the following conditions: elaborate.”

There is a need to consider and perhaps reference or include language as needed of Section 3. Policies. of the Land Use Element, 2018.

It is my hope that this element of the Comprehensive Plan can be revised to reflect the desires of the community to accommodate the diversity of housing types required to meet the needs of all who wish to enjoy the particular quality of life Langley provides without unduly impacting that “village by the sea” character we all appreciate.
January 29, 2018

To: The Honorable Mayor, City Council and Planning Officials

Re: Housing Goals and Policies - Langley Comprehensive Plan 2018

The five year Comp Plan should express the will of the Community. It is supposed to provide guidance to the planning process and to justify regulations such as ordinances and codes. First and foremost, zoning should protect the residents from unwanted surprises that can affect their lives. The housing element in the Comprehensive Plan should represent the desired composition of the City, but historical trends and economic realism do not support a vision of the high density, quasi-urban environment that also supports affordability - created by enforcement. The plan goes so far as to tout the multi family walkups on the East Coast – we used to call them tenements. The plan should be both realistic and visionary. This plan maybe visionary, but it’s not realistic. The issue of “Affordable Housing” as a justification rings hollow. What affordable housing exists now, is either old housing stock or subsidized.

If the community would step up to the need, I would propose the acquisition of suitable land, the generation of a design plan by competent architects and engineers and an invitation to developers and builders to submit competitive proposals to build housing at various levels of affordability supported by a city subsidy that is funded by a bond issue with repayment provision that avoid the “gift of public money”.

I urge the Council and Planning Officials to go back and eliminate unrealistic Social Engineering from our planning and regulatory process.

Respectfully,

Rolf Seitle, PE

410 Edgecliff Drive
From Carl Magnusson, 625 Edgecliff Dr

Langley Housing Comp plan meeting 1-30-2018

Referring to "Housing Element 8/29/2017" at http://www.langleywa.org/Housing%20Final.pdf

My suggestions are:

Pg H-19
"There are a number of factors impacting Langley's housing affordability and availability:"

- The City fee structure penalizes small living spaces, by making them pay higher effective rates both in permitting process and in ongoing monthly utility expenses. As a result, the small building owners and occupants are subsidizing the larger home owners and occupants.

- The City/County requirement for full septic/ sewer connection for tiny houses effectively renders the tiny house idea of flexible low cost housing meaningless.

"Possible actions to reduce barriers to creating more housing in Langley include:"

- Establishing a progressive (not regressive) permitting fee structure that actually supports and encourages more lower cost housing.

- Establish a progressive utility fee structure that encourages conservation and rewards owners of smaller and lower cost housing rather than penalizing them.

- Waive the requirement for sewer/ septic system hookup for tiny homes under 300 sq ft.

- Establish a test period of 3 -5 years allowing grey water and composting toilets for tiny homes under 300 sq ft. Evaluate on an annual basis and refine policy at the conclusion of the test period.

- Waive or greatly reduce the permitting fees for tiny houses, perhaps in conjunction with a prescriptive guideline for a variety of tiny house models that would automatically be accepted.

"Housing Goals and Policies"

H-4.4 "...permitting more than one ADU on the property and must be served by sewer"

What does this reference to sewers mean?
Dear PAB:

As a greater Langley resident I write to encourage full support for the Multifamily Housing and Climate Change pieces of the comp plan. Dealing with these two critical pieces of community life, one that feels very immediate and essential for families in and around town, and one that is key to getting ourselves ready and more strategic about how we address carbon emissions and finding ways to identify multi-benefit policy solutions that increase equity, affordability, quality of life, reduce emissions, and make us more resilient. I look forward to hearing the good news about the passage of the comp plan, and the great next steps that will follow.

Sincerely,

Belinda Griswold
98260

- Arundhati Roy
Dear PAB and Council Members,

I am 25 years old and live and work in Langley. I have been following the affordable housing discussion and would like to add my comments for your consideration.

Finding the housing market tight here in Langley, I agree that there needs to be more housing for those of us who are just starting off. The idea of boarding houses and more communal places for people my age is appealing to me.

I feel like increasing the ability for developers to use up more of the available, undeveloped land to build high end, unaffordable developments just for the sake of their own pocketbook must be discouraged. I understand that the proposed Comp plan opens up this ability for developers to build more unaffordable places without any restrictions and I strongly oppose such a change. I do not want to see my beloved Langley filled with outsiders who can afford a second home just because City Hall thinks that by increasing density limits substantially will trickle down to create a more affordable housing market. That seems like flawed thinking, especially when Langley is such a jewel of a vacation spot for Seattleites.

I think with a really well thought out affordable housing plan, funds could be collected and targeted for truly affordable housing that is subsidized and restrictions could be placed on multi-family developments that would require that a % of units be permanently affordable. Creative and responsible planning is the only way Langley’s affordable housing crisis can truly be solved.

Please don’t sell out my beautiful village and allow gentrification to flourish as other communities have in the name of affordable housing!

Sincerely,

Colin Adams

Langley, WA

Sent from TypeApp
Hello Brigid,

Thank you for being open to public comment about the recommended re-zone, the Comp Plan, and planning ideas.

Langley, indeed, will be growing and filling in over the next decade and longer, that is inevitable.

Something that I think is very important is that we keep our building heights to two stories and not allow ourselves to climb to the higher, third story. One of Langley’s unique qualities is that it is low to the ground, maxing at two stories. This gives everyone views to the mountains and water and keeps the open sky above us. This is in keeping with our island lifestyle and why we all moved here.

I think it would be a shame, that, in order for a few to gain financially from going up to 3 stories, the rest of us would lose.

I think this is a case when it must be decided definitively that we will keep our low Langley profile, and that no 3rd stories will be accepted in the planning process.

As we consider rezoning upper 2nd street, I think this height restriction is especially important. We do not want our development and in-fill to make us start looking like Lynnwood and all the other bland development that has occurred elsewhere.

Yours very truly,
Autumn Preble
Langley resident since 1986.
360-320-7582=
To: The Langley City Council and the Langley Planning Advisory Board  
Date: January 29, 2018  
From: Scott Chaplin  
Re: Affordable Housing in Langley

Hello,

My name is Scott Chaplin and I live at 654 3rd St. in Langley. Prior to moving to Washington I lived in Colorado, where I had served on a Planning and Zoning Commission and as a Town Trustee (city councilor) in Carbondale, Colorado (population 8,000.) As a Commissioner and then as a Trustee I was involved with the review of numerous development projects that involved affordable housing components, which were deemed necessary as our town became “Aspenized.”

Carbondale is about 25 miles from Aspen. Like Langley, Aspen is in a beautiful natural setting with views of mountain, wonderful restaurants and numerous art galleries. Unfortunately, Aspen hasn’t been affordable to the average Aspen worker for decades and the price for even a modest 1960s home could be over $3 million. Most of the workforce for Aspen commutes 20 or more miles from nearby communities, such as Carbondale, and the running joke is that the “Millionaires of Aspen and being pushed out by the Billionaires.” Meanwhile, the neighboring communities are becoming “Aspenized” by the influx of new wealth and even their work force’s are beginning to commute from even further away. Aspen does have some affordable housing, but most people there will tell you that the local government did “Too little, too late.” Aspen is still a nice place to visit, but it has lost a lot of the small town character we enjoy in Langley.

While Langley is a long way from the affluence of Aspen or even the problems of Carbondale, we could easily become a much more affluent but less worker-friendly community if we allow certain kinds of development without also requiring the inclusion of meaningful, long-term affordable housing solutions. While I do applaud allowing ADUs and some increases in density, neither of these measures alone will guarantee any long-term housing. Increase density alone and across the board is shortsighted. Taking actions that only ease the price for the next buyer are also shortsighted and only postpone and intensify the longer term problem.

Langley needs to consider is the creation of a task force and a long-term affordable housing plan that includes deed restrictions or some other sort of resale affordability mechanism. In addition, Langley should pursue an inclusionary housing ordinance, that would mandate that a certain percentage of new housing development be put into program that would ensure long-term affordability (with allowances for payments in lieu for small projects). To this end, some sort of community land trust could be created and there may be opportunities to partner with other local agencies and organizations, such as the school district, Island County, the Opportunity Council and other non-profits. For whatever actions are taking in the name of affordability, I would ask the Council to consider if what they are doing will still have any effect in 5 or 10 years. Thank you for your time.
Brigid Reynolds

From: Gordon Collins <gordon@whidbey.com>
Sent: Monday, January 29, 2018 4:28 PM
To: pab@langleywa.org; council@langleywa.org
Subject: Comp Plan Changes

Dear PAB and Council members,

I have been a resident in Langley for 20 years, and that choice has not been an accidental one. I value the compassion and thoughtfulness that this community and its government have been able to honor which maintains the quality of life that we enjoy here.

I implore you to make sure that any changes made in the Comprehensive Plan are done with great care and clear vision, so that we encourage real affordable housing, not gentrification that occurs by increasing density irresponsibly.

Sincerely,

Gordon Collins
Langley, WA
Robert LeClair

126 Sunrise Lane, PO Box 1446

Langley, WA 98260

Jan. 30 2017

City Planners and Officials

112 Second Street, Langley, WA 98260

Langley, WA 98260

Dear City Planners and Officials:

I am writing this letter as I understand the City of Langley is reviewing the comprehensive plan for approval at this time. I am particularly concerned about some of the language in section 6. Goal POS-6:Waterfront. Specifically POS-6.1 includes verbiage to the effect “and facilitate public access to and from the waterfront.” While the language does not address specific plans to accomplish these actions, I would like to make you aware of concerns my wife and I, who own the residence at 126 Sunrise Lane, as well as our neighbors on both sides of us have.

As you know there were plans presented as far back as 2011 to connect the Marina area with Seawall Park just below downtown. Two options were being discussed at that time. One is a boardwalk that would run in front of the existing four homes in that area and the Nichols Brothers Property as well as the Boatyard Inn. The other plan was perhaps a more achievable plan to open Sunrise Lane to foot traffic to connect the two areas.

I would think by now the first option is hopefully seen as completely unviable. One would literally have to move the Boatyard Inn as well as go right through the middle of private decks of several homes. I imagine this is not even being considered.
The second option is perhaps more doable from a logistical point of view. However it is completely unacceptable for the following reasons. The homes along Sunrise Lane have very little space on the water or road side of the homes. To reduce this minimal privacy would be intolerable. As it is now we can hear people walking down Wharf St with our doors closed. Having people walk within 10 plus feet of our front or back doors would be completely unacceptable for obvious privacy reasons. I cannot imagine any of you would want a constant stream of people walking within ten feet of your front or back door. There is not only a loss of privacy in terms of people walking on your property, but the noise created would be absolutely unbearable.

While I generally support ideas that benefit public use of natural resources, this is a situation where the needs of the property owners far outweigh the need to have direct access between the two parks. There would be no sense of privacy as noted, as one would listen to conversation constantly as well as the noise one's own pets would make one's within our homes.

Also, I am sure you are aware that the easement in this area is very specific about the fact that it allows private access only to the benefit of whatever persons currently own the land and homes along Sunrise Lane. It was written to specifically protect the privacy rights of those who live there. From an economic point of view, the loss to the current homeowners would be in the hundreds of thousands of dollars per home.

If there is a desire to more closely connect the two areas, and make access to Seawall Park more available to everyone, a similar solution to the elevator apparently being discussed to go down into the Marina, could be installed at the south end of Seawall Park. If elevators are not chosen stairs at the south end of the park could be installed, so people would have more a sense of a loop as they walked the length of the park from south to north toward the Inn at Langley. Frankly I think for those that can handle stairs the current access from the stairs near the Village Pizzaria and the paved hill at the north end of the park are quite adequate.

Personally I am surprised the money which would be need to be spent on an elevator of sorts down to the Marina is even being considered. There is good access to the Marina now by foot and car. If an elevator is being considered, I would think the south end of Seawall Park or near the Village Pizzaria would be the place to spend the money. There is not good access at Seawall Park for those who cannot navigate stairs or the paved hill. There is no parking at the walking level due to lack of space. Using the funds to provide access to Seawall Park with an elevator at its southern end or the current stairs location makes so much more sense than down to the Marina. As noted there is already access by car to the beach and park level at the Marina. If the goal is better access for all, I think it would be wise to provide this access first.

I hope these ideas will be considered by the City Planners and City Officials as making good sense and the best use of what funds are available as the comprehensive plan is being looked over for approval. I think they make the most sense if more access to the waterfront directly below Langley is being considered. Thank you for your consideration of the above.

Sincerely,

Robert LeClair
Summary of reasons why a walk thru along Sunshine Lane to connect Seawall Park is not a reasonable approach to access.

1) The easement through which persons would pass was written well over a half century ago, and it is very clear the easement is to be used by the property owners only. No public access is allowed.

2) The easement is not wide enough to allow vehicles to share the space with pedestrians safely. Many vehicles in the area have never even been through the area in the past. It is not even safe with locals pulling out of garages and driving through the area.

3) The space between the front or back of affected homes is narrow. We have little enough room as it is.

4) The loss of privacy would be unbearable. The would be talking pedestrians, some playing music within a few feet of our homes. Hundreds per day in the warm season. As it is now, we can hear people walking down Wharf St while inside our home with the doors and windows closed. We would have to listen very frequent noise much more invasive than this, as well as our pets (dogs) responding with barking with each new voice. This is simply not tolerable.

5) The economic loss to the homeowners would be in the hundreds of thousands per owner which the city would be responsible for.

6) Insurance for this access would be very high or not obtainable.

7) **Note: This is probably the best reason for not considering passage on either side of Sunrise Lane.** It is not needed! Great access can be had if needed for those who cannot go down the stairs or hill at Seawall Park, by an elevator of sorts at the south end of the Park or perhaps the near the current stairs by the pizzeria or where the hill is at the north end. Better signs for visitors would help!

Contributed by Robert LeClair 126 Sunrise Ln
We need affordable housing. And we need more regulations around AirbanB- so many rental properties are unavailable because of this.
Gretchen Lawlor
light@whidbey.com
206 698 3741
www.gretchennlawlor.com
Brigid Reynolds

From: Bob French <bfrench@nicholsboats.com>
Sent: Tuesday, January 30, 2018 2:35 PM
To: planning@langleywa.org
Subject: Comprehensive Plan

Brigid,

Ice Floe LLC dba Nichols Brothers Boat Builders fully supports any plans which can help produce more affordable housing in Langley.

Housing for our employees as well other employers is a constant issue, allowing higher density and or multiple dwelling housing will help.

Thank you.

Bob French
Planning

Nichols Brothers Boat Builders
PO Box 580/ 5400 Cameron Road
Freeland, WA 98249
360.331.5188 direct
360.990.2081 cell
360.331.6181 fax
bfrench@nicholsboats.com
www.nicholsboats.com
From: Coyla Shepard <coyla1@gmail.com>
Sent: Tuesday, January 30, 2018 1:28 PM
To: Brigid Reynolds community planning
Subject: subject Fwd: Delivery Status Notification (Failure)

Address not found

Your message wasn't delivered to planning@langley.org because the address couldn't be found, or is unable to receive mail.

The response from the remote server was:

554 5.7.1 <planning@langley.org>: Recipient address rejected: user planning@langley.org does not exist

Final-Recipient: rfc822; planning@langley.org
Action: failed
Status: 5.7.1
Remote-MTA: dns; mx.netidentity.com.cust.hostedemail.com. (216.40.42.4, the server for the domain langley.org.)
Diagnostic-Code: smtp; 554 5.7.1 <planning@langley.org>: Recipient address rejected: user planning@langley.org does not exist
Last-Attempt-Date: Tue, 30 Jan 2018 13:13:45 -0800 (PST)

--------- Forwarded message ---------
From: Coyla Shepard <coyla1@gmail.com>
To: Bridget Reynolds Community Planning <planning@langley.org>
Cc:
Bcc:
Date: Tue, 30 Jan 2018 13:13:42 -0800
Subject: Fwd: Drawing of tiny village by septic treatment plant?

---------- Forwarded message ----------
From: Mike Burroughs <mkburroughs2@yahoo.com>
Date: Tue, Jan 30, 2018 at 12:24 PM
Subject: Re: Drawing of tiny village by septic treatment plant?
To: "coyla1@gmail.com" <coyla1@gmail.com>

To the Langley City Planning Commission and Brigid Reynolds,

Please consider adding zoning in the Comprehensive plan for a tiny house community. The narrow strip of property bordering Coles Road and the sewage treatment plant is a piece we will be asking for. I will present it at the public open meeting tonight at the Methodist church. I also submit a copy of Chapter 2.64-
DISPOSITION OF SURPLUS PROPERTY- AFFORDABLE HOUSING
This grants the city the right to give (at no cost) surplus property for affordable housing. Please see below the site plan drawing sent to me by architect, Mike Burroughs.

Other possible sites to zone for a tiny house community would be on 6th street as well as the vacant lot across from the middle school on the corner of Camano and Edge Cliff.

<div id="Message truncated"----
Brigid Reynolds

From: Laurie Keith <blauriek@gmail.com>
Sent: Tuesday, January 30, 2018 3:40 PM
To: council@langleywa.org; PAB@langleywa.org; Tim Callison; City Planner
Cc: Fred Geisler
Subject: Housing Element Comments

Dear Council, Mayor and PAB and Planner;

Thank you for providing an opportunity to hear from the community regarding the newly rewritten comprehensive plan. We appreciate the hard work that has gone into this and my apologies for not specifically mentioning all the great stuff that has been cleaned up, refined, improved. Thank you!

I am speaking up now to share about a few areas of concern that my husband Fred and I hope there is still some time to refine.

We appreciate the good work to create a variety of approaches to address the critical issue of affordability of housing in Langley. We love the Shared Living Residences, Adaptive Re use, Tiny homes concepts and supporting additional ADU’s that fit into the type and character of dwellings that Langleyites generally prefer. We are concerned however with the strong language encouraging 16-50 units per acre, multiplex and mixed use, and the provisions in H 1.1 and 1.3. We are ok with a limited amount of high density housing such as these promote but feel this should be an option in only certain areas of the downtown core and I the wording in the Housing Element may likely open the door to potential developments that will change the character of Langley too fast and too much. I’m afraid that this open door to high density homes will bring developers who are happy to make more 500,000 units that they can sell to the folks that can afford that for a second home for weekends in Langley. This takes us backwards in many ways.

Let’s focus on the creative ways to promote more affordable housing...many of which are encouraged in plan and maybe there is a way to link those few higher density developments with some clear ordinances requiring a % of dwellings affordable. I know we do need to accommodate more people...but not empty homes. We understand that we need to be compliant with GMA requirements for projected growth but we also understand that we not only are meeting that but are exceeding it by 5-6 times. More growth also does not equate more money for the city even though it may look like that on the surface. Studies show that the increased costs of services ends up costing cities way more to grow...especially here where we will need a new sewer system with the high density encouraged in this plan and that will cost all current residents a lot of money and make housing costs go way up and be even less affordable!

We are Edgecliff area residents and would like to remind the council and mayor that the watershed in that area has been shown to not be able to hold high density because of the challenges to bluff stability with greater impervious surfaces and greater storm water run off. Please make sure these areas are protected.

Fred and I both are part of a new group that has formed to research and educate about the harmful effects of Radio and Electromagnetic frequencies such as wifi, cell phones, computers, microwaves, etc. Even the American Cancer Society is now admitting that cell phone radiation causes cancer (https://acspressroom.wordpress.com/2016/05/27/ntpcellphones/). I’m mentioning this now because for some people who are the canaries in the coal mine, including my husband, living in high density housing with multiple wifi signals around is not possible. Many of you will reject this but I believe in the next 5-10 years the word will be out and we may be attracting visitors and residents to Langley as a place to come to get out of the high density condo living of the city in order to live a more peaceful healthy life....yet still be in a kool community...a village. Lets not loose that character in a fervor to develop. I believe merchants in Langley have been doing better the last couple of years with
increased tourism. I don't expect that to diminish much as Seattle continues to boom. Perhaps we don't really need to try so hard to develop a lot just now. This plan feels to me overall like it is pushing development with some intensity. I don't think we can solve the world's housing crisis here ... but we can work hard for creative solutions and make progress.

We appreciate the inclusion of encouraging Green Housing. With the use of Composting Toilets and grey water recycling systems and even water cisterns, additional housing can even be accomplished with so much less water run off and reduced costs (no sewer hook up and monthly fees) and this could allow more creative potentially low cost ADU's tucked in unobtrusively. So many single older people prefer their own little creative space rather than an apartment building or expensive condo. Things like this are in keeping with the the character of the people who live here. In the Comp plan from years ago, there was mention of Living Machines (www.livingmachines.com/Home.aspx) as a possible alternative to sewer for areas of development in Langley. We would love to see our city be a leader in innovative sustainable ecological methods.

Thanks for hearing our comments.

Sincerely,

Laurie Keith and Fred Geisler
Both Langley residents for 20 years

Laurie Keith

"It all works out in the end. And...if it's not working out, it's not the end!" Anonymous Earthling

Licensed Massage Therapist
Langley, Washington
www.attunementarts.com
www.fascialpriming.com
# ATTACHMENT NO. 3

## Properties to be rezoned

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Address</th>
<th>Current Zone</th>
<th>Proposed Re-Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>S8250-00-00014-0</td>
<td>203 Wharf Street (parking area)</td>
<td>Central Business</td>
<td>Public Use</td>
</tr>
<tr>
<td>S8526-00-00000B-0</td>
<td>Wetlands behind the Meadows development</td>
<td>RS7200, RS7200-WS</td>
<td>Public Use</td>
</tr>
<tr>
<td>S8525-00-00000B-0</td>
<td>Mildred Anderson and Faye Bangston Park in Highlands</td>
<td>RS7200, RS7200-WS</td>
<td>Public use</td>
</tr>
<tr>
<td>R32902-390-0180</td>
<td>Tiny lot on Woodsong Lane</td>
<td>RS7200, RS7200-WS</td>
<td>Public use</td>
</tr>
<tr>
<td>S7345-00-02020-0</td>
<td>Empty lot at the corner of DeBruyn and 2nd Street</td>
<td>RS7200</td>
<td>Mixed Residential</td>
</tr>
<tr>
<td>S7345-00-02019-0</td>
<td>Empty lot at the corner of DeBruyn and 2nd Street</td>
<td>RS7200</td>
<td>Mixed Residential</td>
</tr>
<tr>
<td>S7345-00-08001-0</td>
<td>432 3rd Street</td>
<td>RS5000</td>
<td>Neighborhood Business</td>
</tr>
<tr>
<td>S7345-00-09024-0</td>
<td>(parking across from) 432 3rd Street</td>
<td>RS5000</td>
<td>Neighborhood Business</td>
</tr>
</tbody>
</table>