

FINAL
CITY OF LANGLEY
ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE RS7200 TO RM ZONE – MIXED RESIDENTIAL FOR THE PROPERTIES LOCATED AT 843 THIRD STREET AND TO CHANGE THE SINGLE AND DUPLEX FAMILY (RS7200) ZONE DISTRICT TO RS5000 FOR THE PROPERTIES LOCATED BETWEEN FIRST AND FOURTH AVENUES AND PARK AND DEBRUYN AVENUES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990 to guide the development and adoption of comprehensive plans and development regulations for those cities required to plan under RCW 36.70A.040; and

WHEREAS, the City of Langley is a non-charter optional municipal code city as provided in Title 35A RC, incorporated under the laws of the state of Washington, and is required to plan under the GMA; and

WHEREAS, RCW 36.70A.020(4) encourages cities and counties to have policies that encourage the availability of affordable housing to all economic segments of the population; and

WHEREAS, RCW 36.70A.040(3)(d), (4)(d) encourages these adopted policies to be implemented by development regulations; and

WHEREAS, the Langley City Council tasked staff to research housing affordability issues, and provide relevant information to guide the implementation of amended regulations to address these issues; and

WHEREAS, findings from a community survey on housing matters indicated the lack of workforce housing has negatively affected local businesses' ability to recruit and retain employees; and

WHEREAS, for the period between 2011 and 2015 the ratio of the median housing value in Langley is almost eight times the median household income, which is the highest in Island County and almost double that of Washington State; and

WHEREAS, 70% of respondents to a 2018 community housing survey stated there are not enough housing options for renters and homeowners in Langley; and

WHEREAS, only 5 percent of residentially zoned land is within the Mixed Residential (RM) zone district; and

WHEREAS, approximately 1.5 acres of land within the RM zone district is suitable for development; and

WHEREAS, the City proposes to rezone two areas within the City, pursuant to LMC 18.38.030 to implement the affordable housing goals and policies of the Comprehensive Plan; and

WHEREAS, the proposed amendments to the City's development and zoning regulations were designed to address the aforementioned issues set forth herein, and are deemed to be consistent with the Langley Comprehensive Plan; and

WHEREAS, the amended zoning map amendments set forth herein are deemed to be consistent with the Langley Comprehensive Plan as the land use designations established in map LU-10 of the Comprehensive Plan are residential; and

WHEREAS, the Comprehensive Plan contains numerous goals and policies to encourage alternative and where possible more affordable housing options including but not limited to: Goals LU-4, H-1, H-2 and H-4 and Policies LU-4.4, LU-4.8, H-1.1, H-1.2, H-1.3, H-2.1, H-2.2, H-2.3, H-4.1, H-4.3, H-4.4, H-4.5, S-8.1, and UCF-3.4; and

WHEREAS, the Comprehensive Plan contains the following specific goals and policies to encourage multi-family housing: LU-4.4 "Higher density development is permitted in single family neighborhoods when integrated in a sensitive manner", H-2.1 "Expand the areas where multi-family residential housing is permitted", and H-2.3 "Encourage the distribution of various housing types throughout the city to provide a wide variety of neighborhood settings and avoid undue concentration in particular neighborhoods; and

WHEREAS, the properties shown in Exhibit A is surrounded by a wetland to the south, vacant land to the east and west, and a church and single-family residences and accessory dwelling units to the north, and a rezone of this property to Mixed Residential would be consistent with the surrounding residentially-zoned properties; and

WHEREAS, WHEREAS, a rezone of the properties shown in Exhibit A would allow for higher density development and expand the areas where multi-family residential housing is permitted, implementing the goals and policies of the Comprehensive Plan; and

WHEREAS, the properties shown on Exhibit B are surrounded by single family and duplex residences, accessory dwelling units and vacant land to the north, south and east and uses on the properties to the west include the arcade, laundromat, upholstery shop, vacant land, and Whidbey Telephone Company's utility building

WHEREAS, the location of existing dwellings and structures as well as vacant properties shown in Exhibit B make it possible to adjust parcel lines to create additional parcels; and

WHEREAS, amending the zoning from RS7200 to RS5000 for the 45 lots on Exhibit B would reduce the minimum lot size and enable boundary line adjustments to existing lots such that additional lots may be created; and

WHEREAS, the City of Langley is one of three incorporated jurisdictions in Island County, the only incorporated jurisdiction in South Whidbey and the GMA limits higher density development to incorporated jurisdictions with full community services; and

WHEREAS, the subject properties to this zoning map amendment are located within a ¼ mile or a 10-minute walk of downtown, a standard measure of walkability; and

WHEREAS, the subject properties to this zoning map amendment are located where City water and sewer services exist thereby making efficient use of existing infrastructure; and

WHEREAS, the development of any multi-family housing is subject to a Site Plan Review and review by the Design Review Board for consistency with the City's Design Guidelines; and

WHEREAS, the Planning Advisory Board (PAB) at its meetings of May 2, 2018 approved the amendments be forwarded to Council to begin formal adoption proceedings; and

WHEREAS, the ratio of multi-family residences to single family residences has decreased by 10 percent between 2000 and 2017; and

WHEREAS, the proposed rezone is within the public interest and is consistent with the City of Langley's Comprehensive Plan;

WHEREAS, the City held an open house on June 27, 2018 to receive input into the proposed zoning map amendments; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) on February 20, 2019, following review of the proposed code amendments and environmental checklist; and

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its zoning map amendments to the Department of Commerce for review on February 19, 2019, and received confirmation from the Department of Commerce on March 7, 2019, of receipt of an expedited notice of review; and

WHEREAS, after due and proper notice, the PAB held a public hearing April 3, 2019, to accept public comments on the zoning map amendments; and

WHEREAS, the PAB considered the staff report and public comment received prior to issuing its findings of fact and recommendation to the City Council; and

WHEREAS, on April 3, 2019, the PAB issued written Findings of Fact and Recommendation ("Recommendation"), attached hereto as Exhibit C, wherein the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on XXXX, 2018, the City Council in an open public meeting reviewed and supported the Recommendation of the PAB;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Facts. The City Council adopts and incorporates the foregoing recitals as findings and conditions as if set forth fully herein.

Section 2. Official Zoning Map Amendments - RS7200 Zone – Residential to RM Zone – Mixed Residential. The City Council adopts the City of Langley official Zoning Map amendments attached hereto as Exhibit A to change the zoning designation of (RS7200) Zone - Residential to RM Zone - Mixed Residential for the properties located at 843 Third Avenue more particularly described as follows:

S8526-00-00001-0	S8526-00-00002-0
S8526-00-00003-0	S8526-00-00004-0
S8526-00-0000A-0	

Section 3. Official Zoning Map Amendments – RS7200 Zone – Residential to RS5000 Zone - Residential. The City Council adopts the City of Langley official Zoning Map amendments attached hereto as Exhibit B to change the zoning designation of RS7200 Zone – Residential to RS5000 Zone – Residential for the 45 properties located between the south side of First Street to the north side of Fourth Street and the west side of Park Avenue to the east side of DeBruyn Avenue more particularly described as follows:

S7345-00-03018-0	S7345-00-02014-0	S8313-00-00004-0
S7345-00-03017-0	S7345-00-02013-0	S8313-00-00001-0
S7345-00-03015-0	S7345-00-02012-0	S8313-00-00008-0
S7345-00-03016-0	S7345-00-02011-0	S8313-00-00005-0
S7345-00-03014-0	S7345-00-02004-0	S8313-00-00002-0
S7345-00-03013-0	S7345-00-02005-0	S8313-00-00007-0
S7345-00-03012-0	S7345-00-02006-0	S8313-00-00003-0
S7345-00-03011-0	S7345-00-02007-0	S7345-00-01013-0
S7345-00-03005-0	S7345-00-02008-0	S7345-00-1017-0
S7345-00-03007-0	S7345-00-02009-0	S7345-00-01009-0
S7345-00-03010-0	S7345-00-01020-0	S7345-00-01010-0
S7345-00-03009-0	S7345-00-01019-0	S7345-00-01011-0
S7345-00-02018-0	S7345-00-01018-0	S7345-00-01012
S7345-00-02016-0	S7345-00-01003-0	S7345-00-01001-1
S7345-00-02015-0	S8313-00-00006-0	S7345-00-01002-0

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five days from the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANGLEY,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS ____ DAY OF
_____, 2019.**

CITY OF LANGLEY

Tim Callison, Mayor

APPROVED AS TO FORM

ATTEST

Michael R. Kenyon, City Attorney

Debbie L. Mahler, City Clerk

Exhibit A

Rezone the subject properties from RS7200 to Residential Mixed.

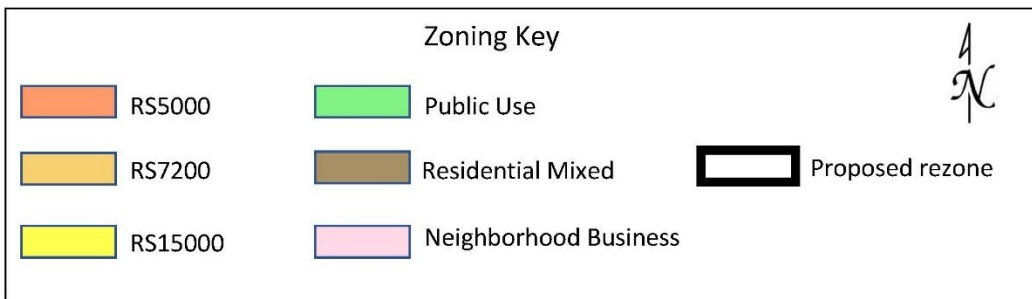
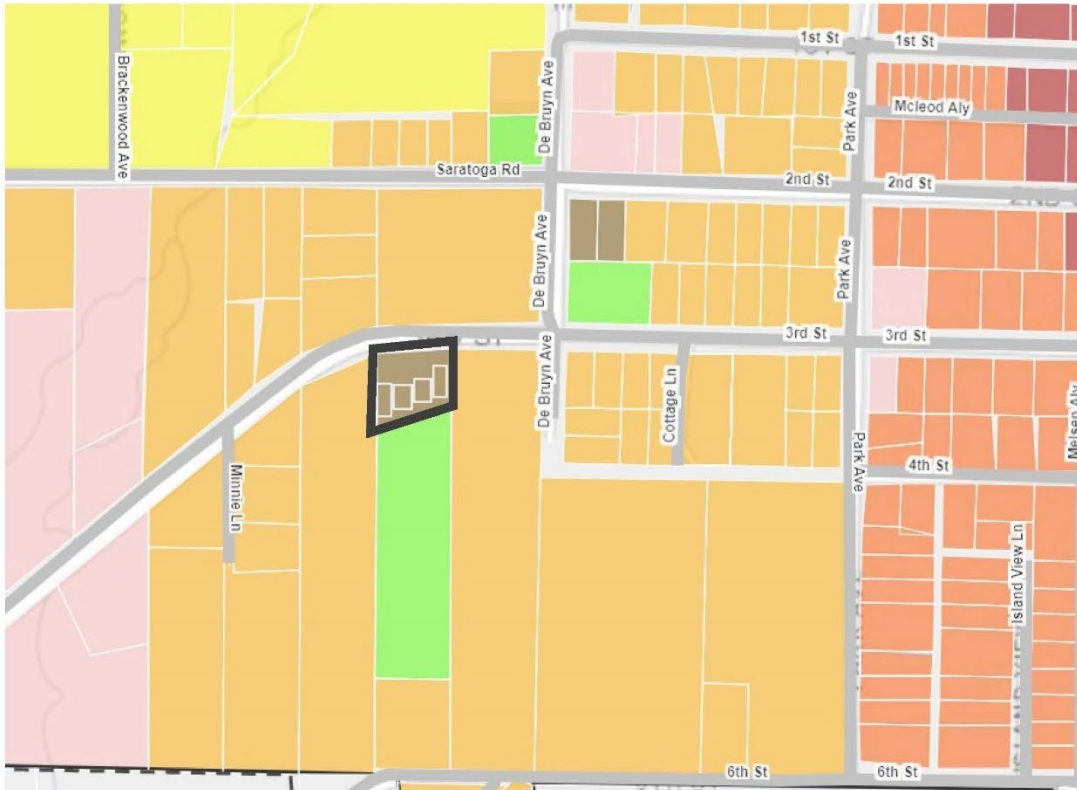









Exhibit B

Rezone 39 properties from RS7200 to RS5000.



Zoning Key			
	RS5000		Public Use
	RS7200		Residential Mixed
	RS15000		Neighborhood Business
			Proposed rezone

**Exhibit C –
Planning Advisory Board Findings of Facts**