AGENDA
Design Review Board
Tuesday May 15th
5:00 p.m.
City Council Chambers

1. Call to Order

2. Minutes April 17, 2018 meeting

3. Applications
   a. DRB-18-006 – Sign, Scaglass Cove, 221 Second St #8 (Langley Village)

4. Unfinished Business
   a. Landscaping plant list
   b. Accessory Dwelling Units (staff report attached)

5. New Business

6. Next meeting Tuesday June 19

7. Adjourn
MINUTES
DESIGN REVIEW BOARD
April 17, 2018

Bob Dalton called the meeting to order at 5:04 PM.

ATTENDANCE

Members Present: Bob Dalton, Cathy Rooks, Dan Gulden, Sieb Jurriaans, Janet Ploof
Staff Present: Kelsey Loch
Regrets: Sandy Wainwright

1. Minutes
   Minutes of the March 20, 2018 meeting were approved.

2. Applications
   Exterior Modification, Pole Building at the Fairgrounds, 819 Camano Avenue
   The DRB reviewed the staff report and Angi Mozer from the Port spoke to the
   application. The proposed exterior remodel improvements to the building are to
   install a code compliant secondary exit door landing and staircase on the west side
   of the theatre. And move an existing (shed) door.
   Dan Gulden and Sieb Jurriaans moved and seconded the motion to recommend
   approval of the proposed exterior modification. All in favor.

3. Other Business
   DRB members discussed the usefulness of having a prepared list of suitable
   plants/shrubs and trees for the landscaping in the City. Cathy Rooks was asked to
   look into creating a undesirables/desirables planting list. There were general
   concerns about plants being the wrong size for given locations, plants not being
   maintained long term, and bunny and deer favorites being over planted. Interest in
   a monitoring program for ensure adequate plantings.

Meeting adjourned at 5:36 pm.

The next Design Review Board meeting is scheduled for Wednesday May 15th, 2018 at 5:00 pm.
STAFF REPORT

DRB-18-006: Sign (221 2nd Street) Seaglass Cove

MEETING DATE: May 15, 2018

STAFF CONTACT: Brigid Reynolds, MCP, MCIP, RPP – Director of Community Planning

ATTACHMENTS: Photos of sign and location

PROJECT DESCRIPTION

The applicant is proposing to install one 6 SF sign on the front of the building above the window and one temporary 5.1 SF banner sign on the rear of the building. No lights are proposed at this time.

ANALYSIS

Proposed signs are reviewed by the Design Review Board in accordance with Langley Municipal Code (LMC) Sections 18.34.030 A) and 18.35. The sign’s consistency with LMC Chapter 18.35 is examined below.

1. Purpose and Intent Statements: The proposed signs are consistent with the Purpose and Intent Statements regarding signage stated in the LMC. The sign is visually appropriate for the unique building-scape of the City, expressive of the identity of the business without violating the character of the surroundings in which it will be located, and is legible at a distance and pace at which it can be seen.

2. Size: The total area of both signs is 11.1 SF and therefore within the 20 square foot limit for sign area for an individual business.

3. Materials: White coated aluminum metal sign and vinyl banner sign

4. Colors: White background, maroon text, light green and blue image

PROPOSED FINDINGS AND CONCLUSIONS:

1. The City of Langley received a complete application from Veda Jenkins and Nancy Jelinek for two signs one 6 SF sign to be mounted on the exterior wall above the window at 221 2nd St, unit #8 on May 8, 2018.

2. In accordance with Section 18.34.060 of the Langley Municipal Code, planning staff have reviewed the application for the signage for consistency with Section 18.35 of the Municipal Code and recommends approval.

RECOMMENDEDATION: That DRB recommend approval of DRB-18-006.
On the Back of the building (the parking lot side) we would like to put a TEMPORARY banner. Right below the windows.

1.7' x 3' Banner - Outdoor, Grommet

Now Open
SeaGlass Cove
Staff Report

To:    Design Review Board
From:  Brigid Reynolds, Director of Community Planning
Date:  May 15, 2018

Purpose
To review proposed amendments to Chapter 18 and 13 regarding Accessory Dwelling Units (ADU’s).

Background
The PAB has been discussing various amendments to the Langley Municipal Code in efforts to reduce barriers to facilitate the construction of more housing with a focus on sensitive infill that fits within the character of the City’s existing neighborhoods. As the PAB is aware there is a housing crisis in Langley, south Whidbey Island and the larger region. There is a particular lack of affordable rental housing in particular for workers in our community. This is a complex problem that requires a multi-pronged approach. The proposed code amendments related to ADUs isn’t going to solve the affordable housing problem but is a part of the solution.

As a small city we are limited in our ability to facilitate or incentivize the development of more (affordable) rental housing. Therefore, encouraging infill and the development of accessory dwellings is an important part of the puzzle.

The recently adopted Comprehensive Plan (2018) includes numerous goals and policies that encourage and support accessory dwelling units and reducing barriers to them being developed. An excerpt from the Comprehensive Plan of the related goals and policies is in Attachment No. 1.

ADU regulations were added to the Zoning Code in 1995 by Ordinance 696 with almost no amendments since that time.

Discussion
The joint publication between MRSC and AWC Homelessness & housing toolkit for cities (2017) identifies ‘revising city regulations to encourage accessory dwelling units’ as one strategy for cities to increase affordable housing units. The document states that while cities and counties have regulations to accommodate this type of housing the standards tend to be onerous and therefore these standards require review and revision to reduce the barriers.
Unresolved issues
The unresolved issues identified by staff are utility fees, establishing an amnesty for existing unpermitted ADUs, and aligning the ADU amendments with the proposed Tiny Home ordinance. PAB members may identify additional issues.

Utility Fees
The connection or participation fees for water for ADUs is 50% of the fees for a single-family residence. Sewer connection/participation fees are not explicitly 50% those of a single-family residence. The fees need to be clarified to create certainty for anyone intended to install or construct an ADU.

Amnesty
There are some ADUs that have been installed or constructed without a building permit or administrative approval. To regularize these units the City could establish an amnesty period whereby these units could be permitted and regularized. One of the requirements of this process would be to confirm the units meet basic life/safety requirements pursuant to the International Building Code. To proceed with this initiative a timeline and process would have to be established.

Tiny Homes
This issue is under discussion as part of the Tiny Home ordinance.

PAB Recommendation
At its regular meeting on May 2, 2018 the PAB recommended the minimum unit size be reduced to 150 SF to align with the size of Tiny Homes and to move forward with the proposed amendments.

Process
The following briefly outlines the amendment process for accessory dwelling units:
- Refine amendments with PAB and DRB
- Hold a community open house to receive input into the proposed amendments
- Complete a legal review
- SEPA determination
- Department of Commerce review
- Public hearing

Recommendation
To confirm the proposed amendments and recommend moving forward with the draft ordinance.
Goal H-2: Character and Density
Seek opportunities to ensure that various types and densities of housing are permitted in sufficient numbers to meet projected housing needs, while maintaining the character of existing neighborhoods.

| H - 2.2 | Encourage attached and detached ADUs in residential zones provided character, scale, and appearance are consistent with the existing dwelling unit. |

Goal H-4: Housing Affordability
Enable the opportunity for affordable housing for a diversity of residents within the city of Langley.

| H – 4.1 | Explore innovative techniques that enable increased housing affordability including but not limited to long term rentals of accessory dwelling units (ADU), a housing trust fund, inclusionary zoning, density bonuses, smaller lot size, elimination of minimum lot size with appropriate open space, expediting permit processing, exempting Real Estate Excise Taxes (REET) to qualified sellers; incentives such as reduced or waived connection fees and reduced parking requirements and other provisions to be determined. |

| H – 4.4 | Encourage new Accessory Dwelling Units (ADU) (both attached and detached) that provide long term rentals using incentives such as reduced connection fees and parking requirements, density bonuses, and permitting more than one ADU on the property that must be served by sewer. |

| H – 4.5 | Study the feasibility of developing an amnesty program to allow owners to regularize existing non-permitted ADU’s (both attached and detached). |

GOAL UCF-1 Utilities and Capital Facilities Planning
The city and third-party utility providers shall plan for and strive to adequately provide needed capital facilities and utilities to all properties within the city that protect investments in existing facilities, maximizes the use of existing facilities, and promotes orderly and compact growth to accommodate anticipated growth consistent with the community’s goals as identified in the Comprehensive Plan and County Wide Planning Policies.

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

| a) | Variances or waivers may be considered for new non-residential development or single family residential construction due to topographical constraints or lack of approval by contiguous land owners. |

| b) | Variances and waivers will not be considered for short and long subdivisions. |
Attachment No. 2

Langley Municipal Code
Accessory Dwelling Units
Amendments 4/27/2018

Underline words/phrases are new and crossed-out words are to be removed.

18.01.040 Definitions

"Accessory dwelling unit" means a room or set of rooms either in a single-family residence or a separate building on the same lot as a single-family or duplex residence that has been designed or configured to be used as a separate dwelling unit. The accessory dwelling unit generally includes living, sleeping, kitchen and bathroom facilities and has a lockable entrance door.

"Guest houses" means an accessory, detached building designed exclusively for residential purposes and without any cooking facilities; situated on the same parcel as a one-family dwelling; for the use of visitors as nonpaying guests of the one-family dwelling; which cannot be segregated or separately leased, rented, sold or transferred, given or otherwise conveyed unless the parcel is of sufficient size to meet density, platting and other city code requirements for a separate legal lot; of not more than 800 square feet; which provides one parking space in addition to those required for a one-family dwelling; and there shall be no more than one guest house per parcel or lot.

Consolidate all ADU related regulations into one chapter

Establish a purpose statement

Purpose

Accessory dwelling units are permitted in certain situations to:

a. Create new housing units while respecting the look and scale of single-family neighborhoods;

b. Support more efficient use of existing housing stock and infrastructure;

c. Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints;

d. Provide housing that responds to changing family needs, smaller households, and increasing housing costs; and

e. Provide accessible housing for seniors and persons with disabilities.

18.22.155 Accessory dwelling units.

The following provisions apply to accessory dwelling units:
Setbacks

Three chapters 18.06 RS5000, 18.07 RS7200 and 18.08 RS15000 contain the same provision regarding setbacks for ADUs. This section shall be moved to 18.22.155

L. The following setback requirements shall apply to detached accessory dwelling units:
   1. Along the front yard of the accessory structure, a setback of one foot from the front facade of the principal structure for every foot of height above 15 feet is required.
   2. A setback of one foot from the front facade of the principal structure for every foot of height above the principal structure is also required.
   3. The setback requirements in subsections (K)(1) and (2) of this section shall not apply on lots over one-half acre in size. The standard height and setback requirements provided in the relevant zone district Section 18.06.050 for accessory structures shall apply on lots over one-half acre in size.
   4. For all detached accessory dwelling units, only the standard setbacks provided in the relevant zone district Section 18.06.050 shall apply if the distance between the accessory dwelling unit and the principal structure is a minimum of twice the side yard setback.
   5. Accessory dwelling units, the setback shall be not less than five feet from the rear property line

The following regulation is located in all three RS zones and the five foot setback from the rear property line shall be removed from this section and located in the consolidated regulation above.

D. Where a lot abuts a public or private alley, the setback for a principal building shall be 25 feet from the centerline of the alley; for accessory structures, exclusive of accessory dwelling units, the setback shall be 10 feet from the center of the alleyway; for accessory dwelling units, the setback shall be not less than five feet from the rear property line; and in no case shall a structure be erected closer than two feet to the alley right-of-way;

18.22.200 Clustered residential development (CRD).
The following provisions apply to clustered residential development:
A. The minimum lot area shall be 20,000 square feet.
B. Density: 150 percent of the base density for the zone district in which the property is located; provided, that all development standards are satisfied.
C. Balance of site (other than individual lots) shall be in a common ownership tract(s).
D. Living area (greater than five feet in height) on each lot is limited as follows:
   1. Total square footage in the principal building: 1,400 square feet.
Section 18.22.050(B)(2)(b). Specifically exempt from design review are developments involving one- and two-family dwellings unless part of a larger project that is subject to design review.

Administration

18.36.025 Permit applications requiring administrative action by the planning official. A. The city planning official may administratively approve, approve with conditions, or deny applications for certain land use proposals. Such administrative permit applications are listed below. If an application is found to be consistent with the city’s zoning ordinance, this title, and with other applicable code provisions and city requirements, a certificate of zoning compliance or other appropriate approval shall be issued subject to compliance with public notice requirements.

B. Administrative permit applications requiring notification of application:
   1. Bed and breakfast rooms.
   2. Short subdivisions.
   3. Accessory dwelling units.
   4. Shoreline exemptions and shoreline substantial development permits, except those permits where a corollary permit is subject to the quasi-judicial process.
   5. Accessory buildings having a gross floor area greater than 1,200 square feet.
   6. Tourist accommodations — commercial.
   7. Reduction of yard setbacks as provided for in Section 18.22.030(C).
   8. Type I site plan review.

C. Administrative permit applications not requiring notification of application, including but not limited to:
   1. Boundary line adjustments;
   2. Home occupations not requiring a conditional use permit;
   3. Reductions of critical areas buffers as provided for in Section 16.20.070;
   4. Critical/sensitive areas review pursuant to Chapter 16.20 requirements;
   5. Written code interpretations;
   6. Other minor actions (e.g., remodeling existing commercial buildings to accommodate new businesses);
   7. New or modified one- and two-family dwellings; and
   8. Signs.
   9. Accessory dwelling units

Utilities

13.50.110 Connection required, exemptions and enforcement.