City of Langley

Planning Advisory Board

AGENDA

April 4, 2018 – 3:00 PM

LANGLEY CITY HALL

112 2nd Street, Langley WA

1. Call to Order

2. Approve agenda

3. New Business

4. Review minutes of March 7, 2018 meeting

5. Conflict of Interest statement (attached to the back of the agenda)

6. Tiny Homes (draft framework and scenarios attached)

7. Accessory Dwelling Units (draft framework attached)

8. Docket Process (discussion)

9. Citizen comments

10. Announcements

11. Adjourn

Next Regular Meeting: May 2, 2018
Guiding Principles for Citizen Committees and Boards.

- All advisory board and committee meetings are to be conducted in public session and noticed in accordance with state law, unless otherwise advised by the city attorney.
- Individual committee members and the collective group will be fair, impartial, and respectful of the public, staff, and each other.
- Committee members will respect the limitations of their individual and collective authority. The role of the committee is to advise the city council and/or staff. Please keep in mind that committee appointment does not empower you to make final decisions, unless authorized by state law or the group's enabling ordinance, or to supervise staff.
- Members will strive to appreciate differences in approach and point of view, whether from each other, the community, the city council, or staff.
- Each member will participate in the group’s discussions and work assignments without dominating the discussion or activity of the committee.
- The committee chair will ensure that all members have a fair, balanced, and respectful opportunity to share their knowledge and perspectives.
- The committee will attempt to reach consensus on issues. If consensus is not possible, strong differing opinions, such as “minority” opinions, should be recorded and acknowledged in the committee’s report to the city council.
- There should be “no surprises” from the committee, either in the nature of the work being undertaken by the committee or the method and timing for conveyance of recommendations to the city council. The staff liaison fulfills an important role in assisting the committee in this regard.

When presenting recommendations to the Council, it is essential that advisory group members keep the following in mind:

- all recommendations should be in written form;
- all ideas should be expressed in clear and concise language;
- proposed solutions should be viable and cost-effective;
- recommendations should identify the reasons for the changes suggested;
- the advice should reflect a consensus of a majority of the group members.
MINUTES
CITY OF LANGLEY
PLANNING ADVISORY BOARD REGULAR MEETING
March 7, 2018

The meeting was called to order at 3:00 PM.

ATTENDANCE
PAB: Thomas Gill, Chair, JR Fulton, Maralie Johnson (alternate), Burt Beusch, Rhonda Salerno, Roger Gage
Council: Christie Korrow, Peter Morton
Staff: Brigid Reynolds, Planner

1. Approval of the Agenda
The agenda was approved.

2. Conflict of Interest Statement
The Chair referenced the conflict of interest statement.

3. Minutes
Minutes of February 7th meeting were approved.

4. Green Building Ordinance Public Hearing
The Chair opened the public hearing at 3:02 pm. Brigid briefly summarized elements of the ordinance and the steps taken for its adoption. She also referenced the one written email received from Kim Drury. No changes are proposed as a result of this email.

The Chair asked if anyone would like to give testimony to the ordinance.

Linda Irvine spoke in support of the ordinance indicating that it clarifies the steps to encourage solar and other green buildings systems and set an example for others. This will also encourage economic growth as it creates employment for installers of these systems. This will also facilitate more energy independence. She also asked about the Kw hour reference which she will discuss with Brigid outside of the meeting. She encouraged the PAB to adopt this ordinance.

Rhonda expressed a lot of support for it. She noted that wind generators even small ones can be loud and asked if there is anything in the code to protect citizens from this noise. Brigid indicated that there is nothing specific in the noise ordinance.
The Chair asked if there were any more comments. Hearing none the public hearing was closed at 3:11 pm.

Moved by Rhonda Salerno and seconded by JR Fulton to recommend approval of the ordinance. All in favor.

5. Meredith Penny, Island County Senior Planner presentation
Meredith gave a powerpoint presentation about the Island County housing element up date and community survey on housing needs in the County. A copy of her powerpoint is on the website.

6. WA State Building Code Council response
The SBCC responded to the City’s request to be a pilot city to adopt IRC Appendix Q for Tiny Homes stating that the request cannot be accommodated as it does not meet the conditions outlined in WAC 51-04-030. Brigid will send a response seeking clarification as to whether the housing crises constitutes a ‘special condition’. She will also share the letters with the IC Intergovernmental Working Group asking if there is interest in participating in this proposal. JR wasn’t sure of the number of joint proposals that are needed to get their attention. JR will share the letter with Tiny Home and affordable housing advocates that he knows including Sightlines Institute and NW Ecobuilding Guild. He knows some planners in other jurisdictions that might be interested in this subject and indicated that if there are others.

7. Tiny Homes
Maralie stepped down from her PAB seat as a member of the Tiny Homes in the Name of Christ, non-profit.
Brigid introduced and reviewed the draft code that JR and herself have been working on. Rhonda suggested the Tiny Homes in a Multi-Unit Development draft be reviewed against the existing Cottage Code. Issues discussed included the affordability of these units as well as

Tiny Homes on a lot with an existing single family or duplex residence
- Lot coverage - clarify the additional lot coverage is 10% for two Tiny Homes.
- Setbacks - clarify the references to side or front yard and make consistent with the Code. Establish an exception that it be located in the front yard setback provided the front door is not facing the street to a maximum of 10 feet.
- Parking – attached and detached garages shall be located behind the front façade of the principal residence.

Tiny Homes in a Multi-Unit Development
- Community buildings or clubhouses should not be included as part of the common open space. But allow an additional lot coverage of 5% or permit a common space to a maximum of 1000 SF
- Clarify that critical areas shall not be included in calculation of common open space.
- Rhonda expressed concern about the density and requested a sketch plan to show what a development like this would look like.
- JR will prepare a rough sketch plan and Maralie will provide the sketch plan from THINC
8. Comprehensive Plan - Next steps
Brigid advised the PAB that Council approved the Comprehensive Plan and that Council did not support
the staff recommendation to continue to allow ADUs on septic. The Municipal Code will have to be
amended.
Staff is working on the following:
- Updating the Critical Area Ordinance and we will bring this forward.
- The proposed zoning amendments of the blocks between 1st and 4th and Park and DeBruyn from
  RS7200 to RS5000.
- To move the proposal of Multi-family as a conditional use we need to prepare infill design
guidelines. Staff is beginning work on a RFP for this project and will bring this forward.
- The RFP for the Wayfinding project is being completed and we hope to have that out by the end
  of March.
- Amendments to the Code re. Accessory Dwelling Units. Brigid is talking to the Public Works
  Dept regarding utility fee.
- Harmonizing the code as it relates to noise.

Rhonda introduced the idea of including a ‘bluff element’ in the Comp Plan and that a task force or
committee be established to begin to work on this process. The Shoreline Master Plan and critical areas
ordinance deals with the issue.
For clarification the process to revise the Comp plan is that the GMA permits annual updates and
requires a comprehensive review every 8 years. Brigid expressed concern about delving back into the
Comp Plan given it was just adopted.
A suggestion was made that a request be made to Council that an ad hoc committee be established to
work on this ‘bluff element’. Rhonda said she will follow up on this.

9. Announcements
First Street Complete Street project community meeting is being scheduled for Wednesday March 28 at
the Langley United Methodist Church. The time is to be confirmed.

The meeting was adjourned at 5:00 p.m.
DRAFT TINY HOME ORDINANCE
4/4/2018

1. GENERAL
   a. Definition
      A Tiny House is a dwelling unit with a minimum size of 150 square feet and less than 400 square feet of habitable floor area.

   b. Building Code
      The International Residential Code for Small Houses Appendix Q (2018), a modified building code shall be allowed for Tiny House construction.

      Must be on a foundation

2. TINY HOME ON A LOT WITH AN EXISTING SINGLE FAMILY OR DUPLEX RESIDENCE
   a. Density
      Where served by sewer a maximum of two Tiny Homes are permitted on a RS zoned lot provided there is an existing single family or duplex residence.

      Where served by septic a maximum of one Tiny House is permitted on a RS zoned lot provided there is an existing single family or duplex residence.

   b. Lot coverage
      An additional 5% lot coverage is permitted for a Tiny Home on a lot with an existing single family or duplex residence.

   c. Setbacks
      A Tiny Home must be setback a minimum of:
      Five feet behind the front facade of the principal residence. Except where the principal residence is located more than 25 feet from the front lot line the Tiny Home may be located in front of the principal residence but must be a minimum of 10 feet from the front or street lot line provided the front door does not face the street.
      Side Yard: five feet
      Rear Yard: ten feet

   d. Height
      A maximum height of 15 feet.

   e. Utilities
      Tiny Homes must be connected to sewer and water.
3. TINY HOMES IN A MULTI-UNIT DEVELOPMENT
   a. Density and Minimum Lot Area
      One Tiny Home per 1200 square feet
      The minimum lot area for a Tiny Home multi-unit development is 5000 square feet
   
   b. Number of Units
      Minimum of 3 to maximum of 12
   
   c. Setbacks
      Front yard – Shall be an average of 10 feet and at no point shall it be less than five feet.
      Rear yard – five feet
      Side yard – five feet
      Separation between Tiny Homes – six feet
   
   d. Lot Coverage
      The maximum lot coverage is 50%.
   
   e. Open Space
      A minimum of 100 square feet of common open space per unit is required. Drive aisle and
      parking areas are not included as part of the common open space area.

      The common open space area shall include usable public spaces such as lawn, gardens, patios,
      plazas or scenic viewing area. Common tables, chairs and benches are encouraged, with all
      homes having access to it.

      Fifty percent of units must have their main entry on the common open space.

      All units must be within ten feet of each common open space(s). Setbacks cannot be counted
      towards the common open space calculation.

      The principal common open space must be located centrally to the project. Additional
      common open space can only account for twenty-five percent of the total requirement with
      trails and pathways connecting the total development. Passive trails are allowed and may
      count towards the common open space requirement.

      Community buildings or clubhouses are not counted towards the common open space
      calculation. An additional lot coverage of 5% is permitted for community buildings.
Tiny Houses must surround the common open space on a minimum of two sides of the green.

Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.

f. Parking
One parking stall per unit. For a development with six or more Tiny Homes the parking ratio shall be 1:6 for visitor parking
Where there is an alley and where possible, parking shall be accessed from the alley.

g. Utilities
Tiny Home multi-unit developments must be connected to sewer and water. They may be permitted one sewer and water connection for a total of 12 Tiny Homes.

h. Other
Tiny Homes are not permitted to be used as tourist accommodation, transient lodging, bed and breakfast room (commercial or residential), AirBnB, VRBO or the equivalent.

The homeowner’s association or land owner shall be responsible for maintenance of open space and utilities.
Prior to approval covenants, deeds and homeowners’ association bylaws and other documents guaranteeing maintenance and common fee ownership of public open space, community facilities, private roads and drives, and all other commonly owned and operated property shall be submitted to the Planning Official for review and approval. Covenants and bylaws shall also prohibit the Tiny Homes from being used as tourist accommodation, etc.
These documents shall be reviewed and accompanied by a certificate from an attorney that they comply with the requirements of this chapter prior to approval. Such documents and conveyances shall be completed and be recorded, as applicable, with the county auditor as a condition prior to final approval and/or the filing of any final plat of the property or division thereof, except that the conveyance of land to a homeowners’ association may be recorded simultaneously with the filing of the final plat.

**ADDITIONAL REGULATIONS/CHANGES**
Add Tiny Homes as accessory or secondary use in all RS zones on Table 18.09
Revise 18.22.155 Accessory Dwelling Units to include Tiny Homes.
Ch. 18.36.025 requires Administrative Approval for ADU’s. Amend to include Tiny homes.
Amend definitions
Remove ADUs from Design Review (18.34) definition of development includes ADU

Highlighted text were added based on PAB discussion on 3/7/2018
Hypothetical Langley 5000 sf Lot Cost

$100,000
Cost per unit for 4 TH units=$25K
Cost per unit for 3 TH units=$33K
Reduction to 3 units adds over
$8,000/unit base cost
34.8 units/acre

16.90

32.6% cover

4 x 220 = 880

Typical Tiny House

Max Tiny House

Typical Tiny House

Typical Tiny House

100

100

50

50
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<th>Unit Size</th>
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Note: Current allowable density for 15 dwelling units/acre is 40%. The following table shows the allowable density for different unit sizes.

- **Three Typical Duplex Tidy Houses**: 4 x 400
- **Four Typical Tiny Houses**: 4 x 200
- **Four Max Tiny Houses**: 4 x 400

Quadplex

Triplex

Duplex with Dadu

Max Single Family House with ADU and Dadu

Max Single Family House with Dadu

Typical Single Family House

Max Single Family House

(All lots > 5000 sq ft)
Accessory Dwelling Units (LMC 18.22.155)

- Permitted in all zones as an accessory use except in Clustered residential developments Ch. 18.22.200
- \( \geq 300 \text{ AND } \leq 1,000 \text{ gross SF} \)
- One ADU only either attached or detached
- Must connect to city services.
- Total lot coverage may increase up to 15% for the ADU
- Connection fees and user fees same for ADU as SFD except for water which is 50%.
- Design review required for new ADU. Additional siting requirements.
- One parking stall required
- Administrative approval with notification
- Requirement for a covenant regarding a home occupation in an ADU (18.22.155 J)
- Height and setback requirements are outlined in each RS zone but are the same.
- Setbacks between the 2 structures – 10’ building code and based on height of either structure

Possible amendments

- Permit one attached and detached per lot
- Reduce utility connection fees and/or user fees for ADUs used for long term rental.
- Remove covenant requirement for home occupation. Not being required.
- Remove parking requirements for one ADU but require one additional parking stall for two ADUs
- Reduce minimum ADU gross SF from 300 to 150 to match tiny home. This needs some consideration.
- Permit in all SF residential zones.
- Remove DRB review requirement.
- Based on Comp Plan amend Chapter 13.50.110 D) re. ADU on septic.
- Administrative approval but no notice to neighbors

Additional Issues

- Make distinction between Tiny Homes and ADUs