CITY OF LANGLEY
ORDINANCE NO.________


WHEREAS, The Langley City Council adopted a six month moratorium on applications for the demolition of structures listed or eligible for listing on the National Register of Historic Places in the Central Business District on May 5, 2014; and

WHEREAS, The Planning Agency, including the Planning Advisory Board and city staff, drafted standards for the maintenance and demolition of historic structures in the Central Business District.

WHEREAS, The Planning Advisory Board has met monthly over the past five months in open public meetings to develop and review the proposed amendments

a. The city received no written comments on the proposal

WHEREAS, The Planning Advisory Board, following appropriate public notice, held a public hearing on September 10, 2014 to accept public comment and make a recommendation to the city council regarding adoption of the amendments. Three members of the public attended the public hearing and two offered comments in support of the proposal; and

WHEREAS, On September 3, 2014 the city’s SEPA responsible official issued a Determination of Non-Significance (DNS) in compliance with the State Environmental Policy Act (SEPA) with a 14-day public comment period and 10-day appeal period.

a. A notice of public action regarding the DNS was posted at appropriate places in the City of Langley and in the South Whidbey Record on September 3, 2014.

b. No public comments were received.

WHEREAS, The amendments to the Langley Municipal Code herein are consistent with the Langley Comprehensive Plan last amended in 2013; and

WHEREAS, The city applied for and was granted expedited review from the Washington Department of Commerce on September 23, 2014 for the enclosed amendments and in conformance with the requirements of the Washington State Growth Management Act; and
WHEREAS, on September 24, 2014, the PAB issued written Findings of Fact, Conclusions of Law and Recommendations ("Recommendation") attached hereto as Exhibit A, in which the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on __________, 2014, the City Council in open public meeting reviewed the Recommendation of the PAB and supports the Recommendation;

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

Section 1. Title 2 of the Langley Municipal Code is hereby amended as shown in Exhibit B attached hereto and incorporated herin.

Section 2. Title 15 of the Langley Municipal Code is hereby amended as shown in Exhibit C attached hereto and incorporated herin.

Section 3. Title 16 of the Langley Municipal Code is hereby amended as shown in Exhibit D attached hereto and incorporated herin.

Section 4. Title 18 of the Langley Municipal Code is hereby amended as shown in Exhibit E attached hereto and incorporated herin.

Section 5. Severability. If any section, paragraph, subsection, clause or phrase of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance, or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, and approved by the Mayor at a regular meeting held this ____ day of ________________________, 2014.

______________________________
Fred McCarthy, Mayor

ATTEST:
Debbie L. Mahler, Director of Finance/City Clerk

APPROVED AS TO FORM:

______________________________

Jeff Taraday, City Attorney
Summary

The proposed amendments to the development regulations in the Langley Municipal Code address the maintenance and demolition of historic structures in the Central Business District and development standards for building width and setbacks for development along the bluff. See below for more detail regarding the proposal:

1. Maintenance and Demolition of Historic Structures in the Central Business District
   a. Applicable to structures listed or eligible for listing on the National Register of Historic Places or the Washington State Heritage Register
   b. Requires adequate maintenance of historic structures to prevent "demolition by neglect."
   c. Allows demolition based on an economic hardship, the structural integrity of the structure or community benefits associated with a redevelopment proposal
   d. Review and recommendation by the Historic Preservation for applications for demolition with final approval by the City Council.

Comprehensive Plan Support:

Land Use Element:

Goal 9: History and Aesthetics

Encourage the protection of special historic, architectural, aesthetic, or cultural resources through the designation of historic landmarks and districts and the adoption of appropriate incentives, and ensure that new development contributes aesthetically to the overall village character.

Policies

9.1 Promote preservation of historically significant features of the Langley landscape, including cultural resources, farmlands, forests, and open spaces. Maintain the historic integrity of the downtown commercial core.

9.2 Encourage the restoration and rehabilitation of historic sites through appropriate means such as increased density, grant and loan technical assistance, adaptive reuse, and others.
2. Development Standards [Title 18]
   a. Building Width - Limit the width of new buildings along First Street 30' or
      require design/architectural elements that maintain the 30' building width
      appearance for larger structures.
   b. Upper Level Setbacks on First Street - Establish a minimum upper level
      setback of 10' for each building story for projects that step down the bluff from
      First Street towards the Seawall.

Comprehensive Plan Support:

Land Use Element:

3.11 Encourage development that promotes livability, pedestrian orientation, and
   quality design and limits stress factors such as noise pollution and traffic congestion.

9.3 Design new commercial development/redevelopment, multi-family development,
   and other development in a design that is compatible with the style of existing buildings
   and ensure aesthetically pleasing projects.

Findings of Fact

1. The City of Langley passed a moratorium [Ordinance 1001] on May 5, 2014
   establishing a six-month moratorium on applications for the demolition of structures in
   the Central Business District listed or eligible for listing on the National Register of
   Historic Places.

2. The Planning Agency, including the Planning Advisory Board and city staff, have been
   working since May 5, 2014 on a proposal that includes standards for the maintenance
   and demolition of historic structures in the Central Business District.

3. The Planning Advisory Board has met monthly over the past five months in open public
   meetings to develop and review the proposed amendments
   a. The city has not received any written comments on the proposal.

4. The Planning Advisory Board, following appropriate public notice, held a public hearing
   on September 10, 2014 to accept public comment and make a recommendation to
   the city council regarding adoption of the amendments. Three members of the public
   attended the public hearing and two members commented in support of the
   proposal.

5. The proposed code amendments will provide greater clarity and standards for the
   maintenance and demolition of historic structures in the Central Business District

6. The City of Langley Comprehensive Plan (last updated in 2013) includes strong
   support for the preservation of historic structures and resources.

7. On September 3, 2014 the city’s SEPA responsible official issued a Determination of
   Non-Significance (DNS) in compliance with the State Environmental Policy Act (SEPA)
   with a 14-day public comment period and 10-day appeal period.
   a. A notice of public action regarding the DNS was posted at appropriate places in
      the City of Langley and in the South Whidbey Record on September 3, 2014.

8. The amendments to the Langley Municipal Code herein are consistent with the Langley
   Comprehensive Plan last amended in 2013.

9. The city applied for expedited review from the Washington Department of Commerce
   on August 28, 2014 for the enclosed amendments and in conformance with the
   requirements of the Washington State Growth Management Act.
10. The amendments are consistent with the Revised Code of Washington (RCW), the Washington State Growth Management Act and the Washington Administrative Code (WAC).

Recommendation
The Planning Advisory Recommends the City Council adopt the proposal as an amendment to the Langley Municipal Code.

Dominique Emerson, Vice-Chair

09/25/2014

Date