CITY OF LANGLEY
ORDINANCE NO. 93

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON,
RELATING TO THE CITY ZONING CODE CONTAINED IN
TITLE 18 OF THE LANGLEY MUNICIPAL CODE AND THE
PARKING REQUIREMENTS IN THE CENTRAL BUSINESS
ZONE; AMENDING SECTION 18.22.130 – PARKING
REQUIREMENTS, AND AMENDING SECTION 18.22.140 –
DESIGN AND CONSTRUCTION REQUIREMENTS – PARKING.

WHEREAS, communities around the nation are recognizing the detrimental
effects of excessive on-site parking requirements including preventing smart growth,
pedestrian oriented development that is in keeping with the existing character of the
Central Business Zone in the City of Langley; and

WHEREAS, the Central Business Zone in the City of Langley is predominantly
defined by small scale commercial and mixed-use development without on-site parking
facilities; and

WHEREAS, the existing on-site parking requirements in the Central Business
Zone make difficult to develop sites within the established character of the downtown
area; and

WHEREAS, the $5,000 per parking space fee in lieu of parking option for
meeting the on-site parking requirements in the Central Business Zone may be considered
a burdensome cost that may prevent appropriate infill; and

WHEREAS, a 2011 parking study by the City of Langley Department of
Community Planning revealed that there is sufficient overall parking supply in the
Central Business Zone; and

WHEREAS, the City of Langley is developing a new public parking facility
known as the CMA Park and Ride Lot that is available to serve the Central Business
Zone; and

WHEREAS, in accordance with RCW Chapter 36.70A, the City’s request for
expedited review was received by the State of Washington Department of Commerce on
March 9, 2012 and was granted; and

WHEREAS, the City’s SEPA Responsible Official has reviewed this Ordinance
and related environmental checklist and has issued a Determination of Non-significance
(DNS) threshold determination under the State Environmental Policy Act (SEPA); and

WHEREAS, after due and proper notice the PAB held a public hearing on
February 13, 2012, on the proposal; and

WHEREAS, the PAB considered the staff report and public comment received
and recommended that, with amendments responsive to the public testimony and
suggestions of PAB members, this Ordinance be adopted; and
WHEREAS, on __________, 2012, the PAB issued written Findings of Fact, Conclusions of Law and Recommendation ("Recommendation") attached hereto as Exhibit A, in which the PAB recommended that the City Council adopt the proposed amendments; and

WHEREAS, on __________, 2012, 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. Section 18.22.130, Off Street Parking, of the Langley Municipal Code is hereby amended to read as follows:

18.22.130 Off-street parking. Parking Requirements

A. Applicability.
1. Parking as required by this title shall be provided when:
   a. A new principal building is constructed;
   b. A principal building is relocated;
   c. The use or building is changed from one category to another within or among 18.22.130(D) or (E); provided that this provision is only applicable if the parking requirement for the proposed use is greater than the parking requirement for the prior use; the use(s) are expanded; or new uses are added.
   d. A building is expanded.
2. The circumstances under which parking is required as set forth in subsection 1 above apply as follows:
   a. To new developments or uses and not to those that have occurred prior to the adoption of this code section;
   b. Only one time to the same square footage unless there is a change in use that has a greater parking requirement. In this case, the parking requirements only apply to the difference between the two uses.

B. Methods of Meeting Parking Requirements. Methods of meeting parking requirements shall be as follows:
   1. Off-street;
   2. Fee in lieu.

BE. Maintenance of Space. All required parking spaces shall remain open and accessible for parking during the hours the use is open to the public or residents.

CD. Residential Requirements.
1. Single-family dwellings shall have two spaces per dwelling unit;
2. Multiple Residential.
   a. Duplexes and townhouses shall have two spaces per dwelling unit,
   b. One bedroom dwelling units shall have one and one-half spaces per dwelling unit,
   c. Two or more bedroom dwelling units shall have two spaces per dwelling unit;
3. Boardinghouses shall have one space per bed;
4. Retirement, nursing and related housing, see Chapter 18.22.210 of this code for parking requirements.

DE. Commercial Uses.
1. Retail stores except as specified below, convenience stores, department stores, drug stores, grocery stores shall have one space per six hundred square feet of floor space;
2. Furniture, appliance and hardware stores shall have one space per six hundred square feet of floor space;
3. Personal service facilities shall have one space per six hundred square feet of floor space;
4. Health care, veterinarian clinics and banks shall have one space per four hundred square feet of floor space;
5. Offices shall have one space per six hundred square feet of floor space;
6. Bowling alleys shall have two spaces per lane;
7. Commercial recreation facilities shall have one space per six hundred square feet of floor space;
8. Car repair, commercial garage shall have one space per four hundred square feet of floor space;
9. Service stations and automobile sales shall have one space per eight hundred square feet of lot area;
10. Restaurants, Taverns, and Cocktail Lounges,
   a. If less than four thousand square feet in floor area: one space per four hundred square feet of floor area,
   b. If over four thousand square feet in floor area: ten plus one space per two hundred square feet in excess of four thousand square feet;
11. Outdoor nurseries shall have one space per one thousand square feet of outdoor retail area,
12. Motels, hotels and bed and breakfast rooms/inns shall have one space per room or unit;
13. Building materials yards shall have one space per one thousand square feet of storage area and one space per three employees;
14. Manufacturing and laboratories, contract printing, research, kennels, shall have one space per one thousand square feet of building or storage area plus one space per employee on the largest shift;
15. Mortuaries and funeral homes shall have one space per six fixed seats or one space per sixty square feet of assembly area, whichever is greater,
16. Self-storage warehouses shall have one space for each ten storage units.

EF. Community Facilities.
1. Theaters: one space per ten seats;
2. Indoor places of public assembly, including churches, auditoriums: one space per six seats or one space per sixty feet of assembly area, whichever is greater
3. Schools: one space per employee, plus one space for every eight seats in a main auditorium or similar assembly area; for high schools, additionally, one for each five students;
4. Museums and libraries: one space per four hundred square feet;
5. Day care centers: one space for each ten children or one space for each staff person, whichever is greater; one space for passenger loading/unloading for every twenty children;
6. Hospitals: one space for each two beds, plus one space per two full-time staff and one for each vehicle operated in conjunction with the facility;
7. Maintenance yard, municipal or utility: one space per two employees.

FG. Uses Not Specified. Any use not listed above shall meet the requirements of the most similar use, as determined by the planning advisory board.

GH. Handicapped Spaces. All retail commercial, offices, personal service, health care, community facilities, multifamily buildings with dwelling units for rent and other places of public accommodation which are subject to these parking regulations shall provide a minimum of one handicapped space and one additional handicapped space for every fifty spaces required.

HI. Combination of Uses. On lots or in buildings with combined uses, the required number of parking spaces shall be the sum of the spaces required for each use reduced by ten percent. Examples of combined uses are: a furniture store with a retail display area and an attached storage
warehouse, a storage warehouse with attached office, a church with a parochial school, and so forth.

J1. Mixed Hours of Use. If more than one use is made of a structure, the total requirements for off-street parking shall be the sum of the various uses' requirements; provided, however, if the hours of use do not overlap, the requirements for the structure shall be that of the use or combination of uses which overlap, requiring the greater amount of parking.

Jk. Joint Facilities. In cases where there are uses in close proximity to each other that operate or are used at entirely different times of the day or week, joint parking facilities may satisfy the parking requirements of such uses if the parking facilities are within three hundred yards of any other uses being served and if the owners of the uses involved present a written agreement recorded with the county auditor clearly setting forth the respective rights to such facilities so long as the parking space is required under this title, together with proof that the operating times are not in conflict. This agreement shall run with the property as long as the uses remain the same.

K. Off-street Parking, Leased or Purchased. Leased parking spaces or land purchased for parking spaces may satisfy the parking requirements of this code if the leased or purchased spaces are within three hundred feet of any other uses being served and if the owner(s) of the uses involved present a written agreement recorded with the county auditor clearly setting forth the respective rights to such facilities as long as the parking space is required under this title. The agreement shall run with the land as long as the uses remain the same.

Lm. Calculations.

1. Area, Square Feet. Unless otherwise specified, square feet refers, square feet refer to the gross building square footage, less the floor area dedicated to stairways and restrooms. In the case of outdoor areas, square feet refers to the gross outdoor eating area.

2. Fractions. When the total number of required spaces results in a fractional number of parking spaces, a full space shall be provided or payment of a Fee in Lieu fee shall be made in the amount resulting from multiplying the fraction (to two decimal points), times the Fee in Lieu fee.

Mn. Downtown Business Area Central Business District Parking Requirements.

1. Exemptions. The following uses within the Central Business District are exempt from the parking requirements in this section:
   a. The first 5,000 square feet of each nonresidential land use with the exception of:
      i. Hotels, motels, and bed and breakfast rooms and inns;
      ii. Marinas

2. The Planning Official, or the Hearings Examiner for projects requiring review and approval from the Hearings Examiner, may waive in writing issue a waiver from some or all of the parking requirements for any land use and development based on the criteria listed below. As part of the consideration of any parking waiver application, the city may require a peer review from a qualified parking consultant acceptable to the City expert at the applicant's expense prior to the issuance of a parking waiver. Consideration of all parking waiver applications shall be based on the following:
   a. Site specific land use and parking data;
   b. Available public parking;
   c. Off-site parking agreements;
   d. National and regional parking research and standards such as those provided by the Institute of Traffic Engineers (ITE), the American Planning Association (APA) or similar organizations; and
   e. A shared use parking analysis that addresses the use and management of parking for multiple land uses that may result in a reduced parking requirement.

I. In-Lieu Fee.
— a. An option for meeting parking requirements in the downtown business area is a fee in-
liet. The planning advisory board shall approve the method of meeting the parking requirements
after review of an applicant's proposal and considering the characteristics of the use and the
development site. The amount of the fee shall be established annually by the city council with the
advice of the city's public works director based on the current prices for purchase of land and
construction of off-street parking spaces or a rental fee for each required space. The fee shall be
paid before a building permit or occupancy permit is issued, whichever is earlier.
— b. The fee in-lieu of providing parking is set by Resolution of the Council per the Municipal
Code Fee Schedule.
— 2. Commercial Parking Fund. The in-lieu fees shall be deposited in the commercial parking
fund and shall be used to pay for the costs of acquiring land for and/or parking improvements to
off-street or on-street parking areas and/or other programs that will lessen the demand for
additional parking downtown.
3. Downtown Business Area Defined. The downtown business area consists of all land
zoned "CB" and generally located in the area east of the mid-block between Anthes and Park,
north of 3rd Street, west of Wharf Street and south of Saratoga Passage.

Section 2, Section 18.22.140(A), Design and Construction Requirements - Parking, of the
Langley Municipal Code is hereby amended to read as follows:

| 18.22.140 Design and construction
requirements— Parking. |
A. Location. Parking spaces required for residential uses in the residential and commercial
zones shall be provided on the same lot as the principal building or an abutting lot if this lot is
owned by the same owner, provided that provision is made for meeting the parking requirements
on the lot with the principal residential structure. Front driveways shall extend a minimum of
twenty-four feet from the edge of improvements in the right-of-way. Off-site parking for
nonresidential uses shall be within three hundred feet of a mile from the principal building
or use being served.