EXHIBIT A

Planning Advisory Board Findings of fact and Conclusions of Law and Recommendation to the Langley City Council

February 13, 2012

From: Thomas Gill, Chair of the Langley Planning Advisory Board

To: Mayor and City Council

Subject: Amendments to Title 18 of the Langley Municipal Code

I. The findings of fact and conclusions of law were prepared by the PAB for the following proposals heard by the PAB in an open public hearing on February 13, 2012:

   a. **Central Business (CB) District Off-Street Parking** amendments as follows:

      i. Eliminating the on-site parking requirement for the first 5,000 square feet of most commercial land uses, eliminating the fee in lieu of parking requirement, allowing site specific parking waivers and expanding the distance allowed for off-site parking.

   ii. **Central Business Public Overlay District** – Establishing additional commercial uses as permitted and secondary uses for the P-1 zoned properties within the Central Business Zone.

II. The Growth management Act (GMA), at RCW 36.70A.020, includes the following relevant planning goals:

   a. **Economic Development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state’s natural recourses, public services, and public facilities.

   b. **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
c. **Reduce Sprawl.** Reduce the inappropriate conversation of undeveloped land in sprawling, low-density development.

III. The proposals are consistent with the following comprehensive plan goals and policies:

a. **Distribution of Land Uses** – Encourage the distribution and general location of land-use densities and intensities to coincide with growth projections, subarea plans, and availability of public services:

   i. Policy 3.10 – Encourage the primary commercial development to locate in the downtown core.

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

IV. The city conducted a parking study in the summer of 2011 that shows that the CB District is adequately served by the existing parking supply.

V. The oversupply of parking adds unnecessary development costs and is a disincentive to appropriate and well designed infill development in the CB District.

VI. The character of the Central Business District is defined predominantly by small-scale storefront retail businesses with no on-site parking.

VII. Most businesses in the CB District do not have on-site parking and the primary means of accessing these businesses is on foot and may require parking a block or two away from the destination.

VIII. Large off-street parking lots negatively impact the pedestrian environment by creating breaks in the street wall and increasing pedestrian and vehicle conflicts that are out of character with the CB District.

IX. The existing fee in lieu of parking requirement ($5000 per space) is a disincentive to investing in the CB District, particularly when there appears to be adequate parking.

X. Eliminating the on-site parking requirement for certain land uses does not preclude the development of on-site parking where necessary and appropriate.

XI. Certain land uses will continue to require off-street parking including hotels, motels, bed and breakfast inns and marina facilities to function adequately.

XII. The City of Langley in 2012 will construct a new park and ride facility in close proximity to the CB District that will provide additional parking to serve the CB District.
XIII. Off-street parking requirements should provide flexibility to address site specific parking analysis and opportunities to maximize existing resources through joint parking agreements and site specific parking waivers.

XIV. Zoning designations should provide for a variety of future land uses and should not be based simply on the existing land use.

XV. The area within the Central Business District should accommodate both public and private land uses.

XVI. In accordance with RCW 36.70A, a request for expedited review as received by the State of Washington Department of Commerce on March 9, 2012 and granted.

Signed: [Signature]

Date: 5/2/2012

Thomas Gill, Chair
Planning Advisory Board
CITY OF LANGLEY
ORDINANCE NO. ________

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, RELATING TO THE CITY ZONING CODE CONTAINED IN TITLE 18 OF THE LANGLEY MUNICIPAL CODE AND ESTABLISHING CHAPTER 18.13 CENTRAL BUSINESS PUBLIC OVERLAY ZONE AND AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR GENERAL COMMERCIAL USES WITHIN THE OVERLAY ZONE GENERALLY CONSISTENT WITH THE CENTRAL BUSINESS DISTRICT.

WHEREAS, the P-1 Public Zone does not allow for commercial land uses even within the area otherwise known as the Central Business District; and

WHEREAS, the properties in the area otherwise known as the Central Business District that currently have a public use are zoned exclusively for public use; and

WHEREAS, future land use and zoning designations should be based on allowing a variety of acceptable land uses and should not be based solely on the existing land use; and

WHEREAS, the Central Business District should ultimately allow for both public and private land uses consistent with the City’s development and design standards; 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, the Planning Advisory Board (PAB) held a public hearing on February 13, 2012 and recommended adoption of the ordinance to the City Council; 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:

Chapter 18.13
Central Business Public Overlay District

Sections:
18.13.010 Purpose and Intent
18.13.020 Relationship to P-1 Zoning District
18.13.020 Geographic Applicability
18.13.040 Principal Uses
18.13.050 Conditional Uses
18.13.060 Supplemental Use Standards

18.13.010 Purpose and Intent. The purpose of this chapter is to recognize the unique qualities of properties within the P-1 Zoning District in the area otherwise known as the Central Business District in order to allow for a wider range of uses than is otherwise allowed under the P-1 District while also ensuring that public uses remain as permitted uses within the P-1 Zoning District.

18.13.020 Relationship to P-1 Zoning District.
The Central Business Public Overlay District shall be an overlay to the underlying P-1 Zoning District. Development within the Central Business Public Overlay District shall meet the requirements both of this chapter and Chapter 18.19, P-1 Zone-Public Use except in instances described below where the Central Business Public Overlay District supersedes the P-1 Zone Standards.

18.13.030 Geographic Applicability.
The provisions of this chapter shall apply solely to the area identified on the Official Zoning Map, as being within the Central Business Public Overlay Zone.

18.13.040 Principal Uses.
The following uses are permitted as principal uses within the Central Business Public Overlay District in addition to the uses specifically authorized as permitted uses in the P-1 District. All proposed new uses or changes of use require City review and approval prior to commencing such uses.
   A. Retail and wholesale sales;
   B. Personal services, including self-service;
   C. Offices;
   D. Medical-dental clinics;
   E. Restaurants and taverns;
   F. Social and recreational facilities;
   G. Hotels, motels, and bed and breakfast rooms and inns;
   H. Accessory structures and uses;
   I. Parking facilities;
   J. Theaters; and
   K. Tourist Accommodations.
   -Commercial.

18.13.050 Secondary uses.
Secondary uses in the Central Business Public Overlay District are:
   A. Dwelling units in principal buildings, provided that commercial uses shall occupy the first and/or street level of the building;
   B. Consumer goods repair,
   C. In-home family day care,
   D. Adult Family Home,
   E. Wireless Communication Antenna Arrays.
18.13.060 Setbacks.
The setback requirements below shall apply to all P-1 zoned property within the Central Business Public Overlay District. The standard setback requirements in the P-1 District shall not apply.
A. Street: none;
B. Side yard: none except when abutting a residential zone, which shall then be five feet;
C. Rear yard: none except when abutting a residential zone, which shall then be twenty-five feet;
D. Where a lot abuts an alley, the setback shall be ten feet from the center of the alleyway, and in no case shall a structure be erected closer than two feet to the alley right-of-way;
E. All parts of the structure or building including, without limitation, cornices, eaves, canopies, sun shades, gutters, chimneys and flues, shall be considered in calculating the location of the structure or building in determining compliance with the setback requirements of this section.

18.13.070 Maximum density.
There is no density limit in the Central Business District Public Overlay Zone for residential development located above commercial development.

18.13.080 Maximum lot coverage.
There is no limit for maximum lot coverage in the Central Business Public Overlay Zone, except as required by Section 18.16.080.

18.13.090 Maximum height.
A. The maximum height in the Central Business Public Overlay Zone shall be the maximum height permitted in the underlying P-1 Zoning District.
Attachment A: Central Business District Public Overlay Zone