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City of Langley
PLANNING ADVISORY BOARD
MINUTES
FEBRUARY 3, 2021
LANGLEY CITY HALL
112 2nd Street, Langley WA

1. The meeting was called to order at 4:03 pm
2. The agenda was approved with the following changes.
 - item 4(a) move down so Scott Chaplin can join the conversation
 - Public meeting for the Shoreline Master Plan.
3. Minutes of January 6, 2021 were approved
4. Discussion Items:
 - a. **Possible community meeting regarding affordable housing.**
 - Brigid mentions that there is a benefit in inviting a variety of players to the table aside from the people from Carbondale, CO that Scott Chaplin has suggested. A community meeting where different jurisdiction/organization leaders can speak to what they do and how it might be able to work in Langley would be informative.
 - Greg reinforced a statement that having a meeting discussing a variety of tools and examples with a panel discussion would be productive.
 - Scott Chaplin introduces himself to the PAB. He described the situation in the early 80's in Aspen, Colorado, making the need for affordable housing in the 90's in Carbondale, Colorado.
 - Scott expressed his concern that there isn't an entity in Island County or Langley working regionally on affordable housing, to his knowledge. Scott says that the City of Langley cannot take on the problem by itself as it requires a lot of resources to manage. He urges to work regionally on the affordable issue and to look at ordinances such as replacement housing ordinances (if someone wants to redevelop a property deemed affordable, they would have to replace it with some kind of affordability) and inclusionary housing ordinance where any housing development above a certain size would have to develop a certain percentage of affordable housing.
 - Potential people that would be interested to join in a round table include the School District, County Commissioners, Helen Price Johnson.
 - Greg asked if there were any specific programs instituted in Carbondale, CO relating to rental housing? Scott did not recall the specific percentage between ownership

and rental housing but their program had both. Scott adds that the nice thing about instituting these programs is that you get to see the pro-forma (numbers the developers use to decide their allocation percentages)

- PAB suggest that looking into the pro-forma could be very beneficial.
- Brigid suggests having a community meeting and invite elected representatives.
- Scott says that the mayor of Carbondale and City Planner would be appreciative to have the questions in advance. The Planner would be more in lined to talk to Brigid one on one. (She is a good resource as she's been with the department since the start of the program).
- Scott also talked to someone on the NW Community Land Trust in Mukilteo who can speak to the particular subject and the feasibility of such a program on a project basis.
- Brigid says we need to start having discussion on regional housing tax levy as we are still in the beginning stages.
- A small working group will be established to talk about planning a community meeting to include Rhonda, Greg, Scott, Paul and Brigid that would meet sometime next week. Rhonda will send out a message to set the date and time.
- Community meeting to happen in about 8 weeks.
- Scott will send out to PAB information and the Code from Carbondale, CO

b. Follow up to joint meeting of January 22 with Island County and Council.

REET 2 funds can be used to support affordable housing and requires action from the city council. This isn't a lot of money though.

Island County Housing Advisory Board could be the place where efforts can be coordinated.

IC Housing Advisory Board reviews grant applications from organizations throughout the county on an annual basis. It would be good to see the schedule so we can get the applications in for this grant cycle. Applications can be made from the city and/or nonprofits.

We need to get more information on the parameters from IC. First meeting of the Council of Governments (COG), Mayor Callison, chair, will be held on Feb 19. It will be about affordable housing where the discussion will focus on coming up with regional solutions.

Brigid is going through what grants are about, and the process. They usually are project based.

PAB move that Brigid write a staff report asking Council to consider approving REET2 program money that could be used to assist affordable housing projects. Links to the grants can be found on the Island County website.

IC also has funds that could be appropriate for Langley projects and either the City or County can pursue State funding for projects. Brigid is waiting on comments from IC to finalize the minutes from the January 22 meeting and will send them out once completed.

c. **Follow up discussion on MF Infill form base code.**

Brigid says the draft code, the recordings of the public meetings are on the website. Comments period is open until February 8. Consultants will identify and assign comments to the appropriate sections of the code.

d. **Follow up discussion on Comprehensive Plan amendments and PUD code amendments.**

The public hearings are scheduled for March 3, 2021, PAB's next meeting.

The Comp Plan hearing will be first and second the PUD and related amendments hearing. Brigid will discuss with Rhonda the hearing process.

Rhonda: re. an PUD application, negotiations for affordable housing would happen with a committee with members recommended by PAB and approved by Council.

As written there are no minimum affordable housing units required. She noted that an early draft required 10 percent of units to be affordable and she would like that to be put back in. Brigid explained that it was removed because its feasibility is questionable.

Rhonda says we are giving a lot with form based code and believes it's important to have some kind of mandatory minimums. Casey disagrees on having this type of mandatory requirements and believes the more restrictions, the more push back we will get because of the cost of new building (avg. \$350/sq ft) and says that the way to get more affordable housing is to build more housing.

Greg says that it is reasonable to require some sort of affordable housing for large projects and it would come down to the committee to negotiate the development agreement to get a fair amount of affordable housing but doesn't think a specific percentage would work because the options are different between rental and ownership housing units. He believes that having some flexibility would allow the committee to negotiate a suitable requirement for each development and the community-

Burt agrees with Greg and Casey. He thinks that Langley needs more housing and that mandating minimums might scare away developers.

Rhonda would like to have one or more DSR members join the discuss and participate in the committee meeting.

c. **Comprehensive Plan/zoning/development agreements - The difference between policy and regulations.**

Greg: There is a hierarchy of regulating tools that guide development in the city and to keep in mind what each does and what the PAB does with each of those.

Comprehensive Plan is the broad overarching policy document that guides decision making for City Council and staff related to development and other issues. It must be updated on a regular basis every 8 years and every year minor amendments can be

made if needed. Langley is required to do a periodic update to its Comp Plan by June 2025.

Shoreline Master Plan, Zoning Code are regulatory documents that fit in under the Comp Plan and the intent of those tools is to implement the Comp Plan. The regulations cannot be contrary to the Comp Plan

Development agreement is a contractual agreement between the City and a particular property owner. Development Agreements provide a developer with certainty that if the zoning code changes the original development plan is vested for a specific period of time. Meaning the developer is not subject to new zoning code requirements.

PAB should keep in mind these 3 levels in mind when considering its responsibilities. The big picture is dealt with in the Comp Plan and the zoning ordinances must be in conformance with the Comp Plan otherwise it can be ruled invalid. This means any amendments must be consistent with the Comp Plan.

Rhonda feels there isn't enough public outreach. Brigid disagrees as we have limited resources and we try to reach out to the public a number of different ways. She suggests that each PAB member should pass on the information to their networks.

Greg suggests that the language for the definition of affordability in the Infill Code be a little more specific.

Paul Schissler posted in chat: "I think I'm hearing agreement about aiming for Langley to have a mix of homes to match the range of incomes and jobs in the community. I believe 3-way cooperation among public agencies, private for-profit and private nonprofits can aim for that mix of homes." Brigid confirms that it is what the Comp Plan says.

Paul says that the for-profit world is not designed to sell/rent things for less than what the market will bear. So partnerships are necessary to build and sell or own and rent for less than it's worth. Only few organizations will do that. For example: The Housing Authority or non-profits like Habitat for Humanity would.

Paul recommends starting with partnerships and cooperation instead of regulations.

5. New Business.

- Public hearing for the Shoreline Master Plan on Thursday March 11, 2021 (outside of regular PAB schedule). The intent is that the SMP will be adopted by the end of June.

6. Citizen Comments

- JR Fulton: very excited about the possibility of private, public and nonprofit partnerships because he believes the biggest drop in housing is in the rental market and there is a huge need for rentals-(2012-2017 loss of 11% of rentals). Brigid to provide the power point from the housing meeting last week.

7. Announcement: IC Commissioners approved a contract in partnership with the Whidbey Homeless Coalition to purchase the old Kingdom Hall building outside of Coupeville to retrofit for a homeless shelter.
8. The meeting was adjourned at 5:41 pm.
9. Next Regular Meeting: March 3rd, 2021, Public Hearing for the Comprehensive Plan amendments and the Planned Unit Development Ch. 18.26 and related code amendments.