



Staff Report

To: Planning Advisory Board
From: Brigid Reynolds, Director of Community Planning
Meeting Date: May 5, 2021
Purpose: Public Hearing for Ordinance No. 1081, Ch. 18.13 Multi-Family Infill Form Based Code

Purpose: To hold a public hearing to receive testimony for Ordinance No. 1081 for a new Ch. 18.13 Multi-Family Infill Form Based Code (MFI-FBC) and related amendments to Ch. 18.01 definitions and Ch. 18.09.010 Uses and receive the findings of fact report and recommend the packet be forwarded to Council for its consideration and first reading.

Background

The Washington State Legislature passed approved passed HB1923 encouraging all cities planning under the GMA to increase residential building capacity and established a \$5 million grant program to assist local governments to adopt actions listed in RCW36.70a.600 to achieve this goal.

The City of Langley applied for and was awarded grant funding to prepare these code amendments to permit multi-family infill housing, including triplexes, in two single family zone districts, RS5000 and RS7200 and the Residential Mixed (multi-family) zone district. The scope of the project expanded and the Neighborhood Business zone district was included.

The City hired Placemakers LLC to work with the City on this project. Two virtual community meetings were held on October 13, 2020 and January 20, 2021 and two joint PAB/Council meetings were held on October 26, 2020 and April 7, 2021 to receive input into preparing and refining the draft code.

A project page was set up on the website and all documents have been posted there. A matrix of all the comments received throughout the process was prepared by the consultants and they are attached as Attachment No. 1.

A draft ordinance no. 1081 has been prepared and is attached to this staff report as Attachment No. 2. A final draft code of Ch. 18.13 has been prepared as well as amendments to Ch. 18.01 definitions and Ch. 18.09.010 Uses. These are attached to the draft ordinance as exhibits B through C. The draft codes have been reviewed by Mike Kenyon, city's attorney and Robin Nelson, City's consulting engineer.

Discussion

Some highlights of the draft code:

- The overlay zone applies to four zone districts – RS5000, RS7200, Residential Mixed and Neighborhood Business. All development is required to be connected to City sewer.
- Reduces front yard setbacks but regulates how much major façade elements may encroach. Also establishes requirements for frontage depth and height above grade.
- Increases maximum height in some zone districts when affordable housing units are being provided.

- Regulates building height in stories, not feet and regulates the maximum story height.
- Reduces parking requirements to one stall per dwelling unit from two stalls.
- Permits a range of building types and regulates the minimum and maximum number of units per building, buildings per site, building width and depth, and entrance requirements.
- Requires shared or private open space.
- Increases lot coverage but DOE stormwater requirements continue to apply for impervious cover more than 2000 SF.
- Simplifies the approval process. An application is not required to be reviewed by the Design Review Board.

Adopting a new Ch. 18.13 triggers additional amendments to the zoning code:

- CH. 18.01.010 definitions to add new definitions of building typologies
- Ch. 18.09 Land Uses to permit the multi-family use in the RS5000 and RS7200 expand the permitted uses as outlined in the PUD code.

Notice of the SEPA determination of non-significance was issued on April 28, 2021 and the comment period ends on May 12. All actions listed in [RCW 36.70A.600\(1\)](#) to increase residential building capacity, are exempt from SEPA administrative or judicial appeal provided the criteria of RCW 36.70A.600 are met.

Conclusion

The draft Ch. 18.13 and related code amendments have met the review period required by the Department of Commerce. The required SEPA notice and a determination of non-significance has been issued and the comment period ends on May 12, 2021. The public hearing notice was made consistent with LMC section 18.36.020.

Attachment No. 1 – Comment Matrix

Attachment No. 2 – Ordinance No. 1081

Exhibit A - Findings of Facts and recommendations to the City Council.

Exhibit B – Ch. 18.01.090 Definitions

Exhibit C – Ch. 18.09 Land Use Table

Exhibit D – Ch. 18.13 Multi-Family Infill Form Based Code