

ATTACHMENT No. 2

CITY OF LANGLEY
LANGLEY, WASHINGTON
DRAFT ORDINANCE NO. 1081

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON,
RELATED TO MULTI-FAMILY INFILL DEVELOPMENTS IN RS5000, RS7200, AND
RESIDENTIAL MIXED AND NEIGHBORHOOD BUSINESS ZONE DISTRICTS: SPECIFICALLY
AMENDING LMC 18.01.040 TO INCLUDE ADDITIONAL DEFINITIONS; AMENDING LMC
TABLE 18.09.010 RELATING TO ALLOWED LAND USES; ADOPTING A NEW LMC
CHAPTER 18.13 RELATING TO MULTI-FAMILY INFILL DEVELOPMENT; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Title 18 (Zoning) of the Langley Municipal Code (“LMC”) is intended to implement the City of Langley’s (“City’s”) Comprehensive Plan and to promote the public health, safety and welfare of the City; and

WHEREAS, LMC Chapter 18.09 contains zoning regulations for allowed land uses within the City; and

WHEREAS, the City wishes to encourage more diversity in housing types than are currently allowed under existing land use regulations; and

WHEREAS the Comprehensive Plan contains numerous goals and policies to encourage alternative housing typologies, the inclusion of multi-family housing units and single-family zone districts and where possible more affordable housing options including but not limited to: Goals LU-3, LU-4, LU-10, H-1, H-2, H-3, H-4, T-1, T-2, T-11, S-3, and Policies LU-3.2, LU-3.6, LU-3.7, LU-4.4, LU-4.6, LU-4.8, LU-4.15, LU-10.4, LU-11.8, H-1.1, H-1.3, H-2.1, H-2.2, H-2.3, H-3.1, H-3.3, H-3.4, H-4.1, H-4.10, T-11.5, T-11.6, and T-13.6; and

WHEREAS the City’s proposed amendments to its development and zoning regulations set forth herein, which were designed to address the aforementioned goals and policies, are deemed to be consistent with the Langley Comprehensive Plan; and

WHEREAS, in 2019 the Washington State Legislature passed HB1923 to encourage all cities planning under the Growth Management Act (“GMA”) to increase residential building capacity, and also established a five million grant program to assist local governments to adopt actions listed in RCW36.70A.600 to achieve this goal; and

WHEREAS, the City was awarded State grant funding to prepare these zoning and development code amendments; and

WHEREAS, the City’s ratio of multi-family dwelling units to single family dwelling units has decreased by approximately 10% between 2000 and 2020; and

WHEREAS, the purposes of the Multi-family Form Based Code are to increase housing alternatives through flexible and innovative design, to provide greater residential availability and affordability, and to establish context-sensitive regulations that complement regulations in the underlying zoning districts; and

WHEREAS, infill housing makes efficient use of City infrastructure; and

WHEREAS, the City held public meetings on the Multi-Family Infill Form Based code on October 13, 2020 and January 20, 2021; and

WHEREAS, the City’s Planning Advisory Board (“PAB”) discussed the proposed zoning and development regulation amendments at its May 5, 2021 meeting, the PAB recommended THAT the amendments be forwarded to the City Council for action. The PAB’s written Findings of Fact and Recommendation (“Recommendation”) are attached hereto as Exhibit A; and

WHEREAS, the PAB considered the City’s staff report and the public comments received prior to issuing its Recommendations to the City Council; and

WHEREAS, the City’s State Environmental Policy Act (“SEPA”) Responsible Official issued a Determination of Nonsignificance (“DNS”) on April 28, 2021, following review of the proposed code amendments and environmental checklist; and

WHEREAS, the City Council finds that this ordinance is necessary to protect and promote the health, safety, and welfare of the general public; and

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its proposed code amendments to the Department of Commerce on December 22, 2020 for its 60-day Notice of Intent to Adopt Amendment, and received confirmation from the Department of Commerce on December 24, 2020, of receipt of the required notice; and

WHEREAS, on **XXX**, the City Council in an open public meeting reviewed the recommendation of the PAB;

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

Section 1. Findings of Fact and Recommendation, Adopted. The City Council adopts the Planning Advisory Board’s Findings of Facts and Recommendation dated May 5, 2021, a copy of which is attached hereto as Exhibit A, as its own Findings and Conclusions in support of these Multifamily Infill zoning and development regulations.

Section 2. LMC Section 18.01.040, Amended. Langley Municipal Code Section 18.01.040, “Definitions,” is hereby amended to read as set forth in Exhibit B hereto.

Section 3. LMC Table 18.09.010, Amended. Langley Municipal Code Table 18.09.010, “Land Uses,” is hereby amended to read as set forth in Exhibit C hereto.

Section 4. New LMC Chapter 18.13, Adopted. A new Langley Municipal Code Chapter 18.13, “Multi-Family Infill Form Based Code,” is hereby adopted to read in its entirety as set forth in Exhibit D hereto.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Codification of Amendments. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the amendments, and publish the amended code.

Section 7. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five days from the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS ____ DAY OF _____, 2021.

CITY OF LANGLEY

Tim Callison, Mayor

APPROVED AS TO FORM

ATTEST

Michael R. Kenyon, City Attorney

Monica Felici, City Clerk