

Exhibit A

Planned Unit Development Ch. 18.26 Amendments Findings of Facts and Conclusions of Law for Ordinance No. 1077

Suggested Findings of Fact

1. The Washington State legislature passed the Growth Management Act (GMA) in 1990 to guide the development and adoption of comprehensive plans and development regulations for those cities required to plan under RCW 36.70A.040.
2. RCW 36.70A.020(4) encourages cities and counties to adopt policies that foster the available of affordable housing to all economic segments of the population of this state and to promote a variety of residential densities and housing types.
3. RCW 36.70A.040(3)(d), (4)(d) provides these adopted policies may be implemented by adoption of relevant development regulations.
4. Title 18 of the Langley Municipal Code (LMC) is intended to implement the Comprehensive Plan and generally service the public health, safety and welfare of the City of Langley.
5. LMC Chapter 18.01 contains general provisions for the regulations of land use and development for the City of Langley, including definitions.
6. Chapter 18.09 contains zoning regulations for allowed land uses with the City, including different housing typologies.
7. Chapter 18.26 contains zoning regulations for Planned Unit Developments (PUD).
8. Chapter 18.26 Planned Unit Development was adopted by Ordinance No. 527 in 1989 with subsequent amendments in 2004 and 2011.
9. Chapter 18.26 PUD permits only single-family neighborhoods.
10. The Comprehensive Plan contains numerous goals and policies to encourage alternative types of housing and mixed-use neighborhoods that also protect open spaced and critical areas including LU-3.2, LU-4.1, LU-4.3, LU-4.4, LU-4.6, LU-4.8, LU4.12, LU-4.14, Goal H-1, H-1.1, H-1.2, H-1.3, H-2.3, H-2.4, Goal H-3, H-3.1 and H-3.2.
11. For the period between 2012 and 2019 the City has experienced population increase of 3.5%, the numbers of occupied housing units has decreased by 6.5%, the number of both owner-occupied and renter-occupied units has decreased 4.5% and 9% respectively and the median home value has increased by 14%.
12. The PAB at its meetings of September 2, 2020, November 4, 2020, and January 6, 2021, and at its November 4, 2020 meeting recommended the amendments be forwarded to the City Council for action.
13. The PAB held a publicly noticed community meeting on March 3, 2021 to receive public input into the proposed code amendments.
14. In accordance with RCW 36.70a.106, the City submitted its code amendments to the Department of Commerce for an expedited review and received confirmation on January 27, 2021 of receipt of the required notice.
15. On February 17, 2021 the SEPA responsible official issued a Determination of Non-Significance. No comments were received.

16. On February 17, 2021, a Notice of Public Hearing was posted at City Hall, the Post office and on the City's website. The notice was also published in the South Whidbey Record on February 20, 2021.
17. The Planning Advisory Board heard public testimony at a public hearing on March 3, 2021. Approximately XXX people attended. XXX written submissions were made and were read out during the hearing. These are attached in Attachment No. XX. XX people provided their oral testimony at the hearing. A summary of the verbal comments is attached as Attachment No. XX. The PAB closed oral testimony at the end of the hearing on March 3, 2021.

Conclusions of Law

Based on the above Findings of Facts, the following Conclusions of Law have been made:

1. LMC Ch. 18.20.080 grants the PAB the responsibility to review and make recommendations to the City Council for development or revision of land use regulations, including the zoning code and Shoreline Master Program.
2. Council has the authority to approve as recommended, approve with additional conditions, modify or remand a recommendation from the PAB back to the PAB for further consideration.
3. The amendments are consistent with the Comprehensive Plan as identified in item no. XX above.
4. The amendments are consistent with the purposes of Title 18 as per Ch. 18.01.010 (note – not all the purposes are suitable to evaluate zoning code amendments)
 - a. To promote the health, safety and general welfare as they reduce barriers to enable the construction of more housing within the City.
 - b. To encourage high standards of development as it is form based code.
 - c. To preserve the small-town character of Langley and direction for orderly growth and development, together with flexibility to respond to changing economic circumstances. The proposed amendments require a range of housing densities providing for a range of market housing options. The proposed amendments require a Development Agreement be adopted by the City to ensure affordable housing options are provided in a PUD neighborhood.
 - d. There have been significant changes in the circumstances regarding housing in Langley and South Whidbey to warrant amendments as detailed in Finding of Facts item number 11 above.
5. Following the open record public hearing on March 3, 2021 on the proposed code amendments, the Planning Advisory Board recommends that City Council adopt the findings of fact, conclusions of law, ordinance no. 1077 and related exhibits.
6. Any finding of fact deemed to be a conclusion of law is hereby adopted as such.
7. Any conclusion of law deemed to be a finding of fact is hereby adopted as such.

Recommendation

Following the close of the hearing and discussion by the PAB, the Board recommends that public hearing testimony, finding of facts report and code amendment be forwarded to Council for its consideration of first reading of Ordinance no. 1077.