

CITY OF LANGLEY
LANGLEY, WASHINGTON
ORDINANCE NO. 1076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, RELATED TO THE 2020 COMPREHENSIVE PLAN DOCKET AND AMENDING THE COMPREHENSIVE PLAN TO ADD A GOAL REGARDING DISMANTLING SYSTEMIC RACISM IN THE EXECUTIVE SUMMARY ELEMENT; ADD REFERENCES AND POLICIES REGARDING FORM-BASED CODES AS AN INNOVATIVE PLANNING TOOL THAT WILL ENABLE THIS TYPE OF ZONING CODE IN THE LAND USE AND HOUSING ELEMENTS; ADD POLICIES REGARDING MIXED USE DEVELOPMENT AND ESTABLISH A PLANNED UNIT DEVELOPMENT OVERLAY IN MAP LU-5 IN SUPPORT OF AMENDMENTS TO MUNICIPAL CODE CHAPTER 18.26 IN THE LAND USE AND HOUSING ELEMENTS; ADD A NEW MAP UCP-7 THAT IDENTIFIES THE RETAIL WATER SERVICE AREA FOR THE CITY'S WATER SYSTEM AND ADD A REFERENCE THAT THE GOALS AND POLICIES IN THE SHORELINE MASTER PROGRAM FORM PART OF THE COMPREHENSIVE PLAN IN THE LAND USE ELEMENT AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Langley most recently amended its Comprehensive Plan Periodic on March 5, 2018 by Ordinance No. 1044, hereinafter referred to as the "Comprehensive Plan," and

WHEREAS, the Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements and applicable plans; and

WHEREAS, to assure that comprehensive plans remain relevant and up to date, the GMA requires each jurisdiction to establish procedures whereby amendments to the plan are considered by the City Council (RCW 36.70a.130(2)), and limits these amendments to once a year unless an emergency or other statutory exception exists; and

WHEREAS, the City of Langley has established a procedure for amending the Comprehensive Plan in Section 18.21.010 of the Langley Municipal Code ("LMC"), that limits amendments to the Comprehensive Plan to no more than once a year consistent with state law; and

WHEREAS, the City of Langley invited annual amendment applications between the period of June 1 and August 26th, 2020; and

WHEREAS, Comprehensive Plan amendments identified by City staff and Planning Advisor Board related to four separate issue areas: Planned Unit Developments; Multifamily Infill Form Based Code; Water Retail Service Area; and Dismantling Systemic Racism; and

WHEREAS, five sections of the Comprehensive Plan being amended: Executive Summary, Land Use, Housing and Utilities and Capital Facilities elements and the amendment of one map LU-5 and addition of map UCF-7; and

WHEREAS, the Planning Advisory Board discussed the proposed amendments at the August 5, 2020, November 4, 2020 and January 6, 2021 meetings and at its November 4th meeting recommended the amendments proceed to the City Council; and

WHEREAS, the City's SEPA Responsible Official issued Determination of Nonsignificance (DNS) on February 17, 2021 with a 14-day comment period, following review of the proposed amendments and environmental checklist;

WHEREAS, in accordance with RCW 36.70A.106, the City submitted its Comprehensive Plan amendments to the Department of Commerce on December 29, 2020, and received confirmation from the Department of Commerce on January 7, 2021, of receipt of the required notice; and

WHEREAS, the Comprehensive Plan amendments were presented to City Council at its January 19, 2021 meeting and returned to the Planning Advisory Board for a public hearing; and

WHEREAS, on February 20, 2021, the public was notified by a legal advertisement in the South Whidbey Record of the opportunity to make comment and participate in the public hearing by the Planning Advisory Board; and

WHEREAS, after due and property notice, the Planning Advisory Board held a public hearing on March 3, 2021 to accept public comments on the Comprehensive Plan amendments. Over **XXX** people attended the public hearing and provided comments as reflected in the public hearing minutes; and

WHEREAS, on March 3, 2021 the Planning Advisory Board considered the staff report and public comments received prior to issuance of its findings of facts and recommendations to City Council; and

WHEREAS, on March 3, 2021 the Planning Advisory Board issued written Findings of Fact and Recommendation, attached hereto as Exhibit A, wherein the Planning Advisory Board recommended that the City Council adopt the proposed amendments; and

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

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

Section 1. Findings, Adopted. The City Council adopts by reference the Planning Advisory Board's Findings of Facts and Recommendation attached hereto as Exhibit A.

Section 2. Comprehensive Plan, Executive Summary, Repealed and Replaced. The Executive Summary Element of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby repealed and replaced in its entirety to read as attached hereto as Exhibit B.

Section 3. Comprehensive Plan, Land Use Element, Repealed and Replaced. The Land Use Element of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby repealed and replaced in its entirety to read as attached hereto as Exhibit C.

Section 4. Comprehensive Plan, Housing Element, Repealed and Replaced. The Housing Element of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby repealed and replaced in its entirety to read as attached hereto as Exhibit D.

Section 5. Comprehensive Plan, Utilities and Capital Facilities Element, Repealed and Replaced. The Utilities and Capital Facilities Element of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby repealed and replaced in its entirety to read as attached hereto as Exhibit E.

Section 6. Comprehensive Plan, Land Use Maps Amended. The Land Use Maps of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby repealed and replaced in its entirety to read as attached hereto as Exhibit F. All other Land Use Maps shall remain in full force and effect.

Section 7. Comprehensive Plan, Utilities and Capital Facilities Element Maps, Amended. The Utilities and Capital Facilities Maps of the Comprehensive Plan as adopted in Ordinance No. 1044 is hereby amended to add a new map no. UCF-7 to read as is attached hereto as Exhibit E. All other Land Use Maps shall remain in full force and effect.

Section 8. 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 9. 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 10. 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