



Topic: 2nd City Council Regular Meeting

You are invited to a Zoom webinar or in person meeting. Note: Due to the lifting of Covid safety restrictions on June 9th, 2022 the city is now required to provide a physical location for all meetings. A computer screen with a microphone and speaker will be set up in council chambers and at least one council member, staff member or the mayor will be present.

2nd Regular City Council Meeting of this month

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84942834088?pwd=YjdpM1dRSVI3Qmt6ZHAraGc0Vkdwdz09>

Passcode: 283347

Or One tap mobile:

US: +12532158782,84942834088#,,,,*283347# or
+13462487799,,84942834088#,,,,*283347#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

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Webinar ID: 849 4283 4088

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CITY OF LANGLEY DRAFT COUNCIL AGENDA

Tuesday June 20, 2023 @ 5:30 P.M. – 112nd Street Langley, WA

CALL TO ORDER – 5 minutes

- 1. Opening Words**
- 2. Roll Call**

CONSENT AGENDA (The CONSENT AGENDA consists of routine items that normally do not require further Council discussion.) – 2 minutes

1. Approval of Claim Warrants - and EFTs in the amount of \$43,989.305-18
2. Approval of Payroll Direct Deposit Run (6/1/23) in the amount of \$36,689.4919
3. Approval of Payroll Direct Deposit Run (6/1/23) in the amount of \$2,407.7020
4. Approval of Payroll Claim Nos 43495, 43496 & 43497 in the amount of \$13,090.61.....21
5. Approval of Manual Warrants 43498 & 43499 and EFTs in the amount of \$5,881.40 ..22
6. Approval of Commission Meeting Minutes posted since previous Council Meeting
7. Approval of Liquor License for; Whidbey Children's Theatre, Swede Hill Cellars & Grayhorse Mercantile23-25
8. Peter Morton_ Civil Service Commission.....26
9. *Greg Easton, Planning Advisory Board* 237

APPROVAL OF AGENDA – 3 minutes

APPROVAL OF MINUTES – 3 minutes

1. Approval of Council Meeting Minutes of 8/1/202227-31
2. Approval of Council Meeting Minutes of 8/15/202232-35
3. Approval of Council Meeting Minutes of 9/19/202236-40

PUBLIC COMMENT PERIOD* – 30 minutes

PRESENTATIONS/GUEST SPEAKER – 10 minutes

1. Presentation to Council from Langley Main Street Association – Nicole Whittington-Johnson, Executive Director – 5 minutes

MAYOR'S REPORT – 10 minutes

PUBLIC HEARING

1. Public Hearing on Resolution No. __ adopting the City of Langley Housing Action Plan - Meredith Penny, Community Planning41-53

2. Public Hearing on Ordinance No. adopting a new LMC Chapter 18.25A performance standards – supportive housing facilities, and amending LMC sections 18.01.040, 18.22.130, and 18.22.165 to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with state law; adopting findings; providing for severability; and establishing an effective date - Meredith Penny, Director of Community Planning54-72

ORDINANCES/RESOLUTIONS

1. Resolution to consider for a combined first and second reading adopting the City of Langley Housing Action Plan - Meredith Penny, Director of Community Planning 73-199
2. Ordinance to consider for a combined first and second reading adopting a new LMC Chapter 18.25A performance standards – supportive housing facilities, and amending LMC sections 18.01.040, 18.22.130, and 18.22.165 to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with state law; adopting findings; providing for severability; and establishing an effective date - Meredith Penny, Director of Community Planning200-218
3. Resolution to consider regarding fees for commercial solar array permitting – Meredith Penny, Director of Community Planning – 10 minutes219-220
*and also 238-242
for Exhibit A - Fee structure*

NEW BUSINESS

1. Edgecliff outfall project, water line relocation- Randi Perry, Public Works Director – 5 minutes221
2. Mayor’s recommendation for City Administrator -5 minutes.....222-227

UNFINISHED BUSINESS

- ~~1. Update on City Administer hiring process- Scott Chaplin, Mayor – 5 minutes~~
1. Update on fiscal implications of long-term records storage options - Scott Chaplin, Mayor – 5 minutes

DISCUSSION

“Whidbey’s Water Future in a Changing Climate_ Follow up actions -5 minutes

STAFF REPORTS

1. Darlene Baldwin, Interim City Clerk228
2. Wanda Grone, Finance Director 229-230
3. Meredith Penny, Community Planning Director 231-233
4. Randi Perry, Public Works Director234-235
5. Tavier Wasser, Chief of Police236

*Note: page 237 goes with the consent agenda and
pages 238-242 go with Ordinances/Resolutions #3*

COUNCIL REPORTS– 15 minutes

1. Council Member Harolynne Bobis – 3 minutes
2. Council Member Rhonda Salerno – 3 minutes
3. Council Member Thomas Gill – 3 minutes
4. Council Member Craig Cyr – 3 minutes
5. Council Member Gail Fleming – 3 minutes

EXECUTIVE SESSION- Discussion with legal counsel about current or potential litigation per RCW 42.30.110(1)(i) - 20 minutes

ADJOURN

***Public Comment:** This is the time on the agenda where Council welcomes comments on subjects of concern or interest that are not on the agenda or to make known that a member of the public wishes to comment on a particular agenda item at the time the item is being discussed. We welcome your comments which are very important to us. Note that all comments are limited to three minutes and should be directed to the presiding officer. Please state your name, address and the subject of your comment. Please note that we will not be entering into dialogue at this time. The purpose of this agenda item is for you, the public, to inform us, the Council, about your views. If you have factual questions, staff will be happy to address them, either now or at a later date.

Thank you for participating! **If reasonable accommodation of a disability is needed, please contact Darlene Baldwin at (360) 221-4246 ext. 17 at least 48 hours prior to this meeting.**

Voucher Directory

Fiscal : 2023 - June
 Council Date : 2023 - June - 2nd Council Meeting

| Vendor | Number | Reference | Account Number | Description | Amount |
|------------------------------|--------|--------------------------------------|----------------|--|-------------|
| Airgas USA LLC | 43501 | | | | |
| | | Invoice - 9997726497 | | 2023 - June - 2nd Council Meeting | |
| | | Rent Cyl May 2023 | | | |
| | | 402-000-000-535-10-40-04 | | Sewer Plant Testing | \$14.96 |
| | | | | Rent Cyl May 2023 | \$14.96 |
| | | Total Invoice - 9997726497 | | | \$14.96 |
| Total Airgas USA LLC | | | | | \$14.96 |
| AT&T Mobility FIRSTNET | 43502 | | | | |
| | | Invoice - 287291336274X0613203 | | 2023 - June - 2nd Council Meeting | |
| | | May 6 - Jun 5 2023` | | | |
| | | 001-000-070-521-20-41-02 | | Telephone | \$345.22 |
| | | | | 287291336274X05132020 | \$345.22 |
| | | Total Invoice - 287291336274X0613203 | | | \$345.22 |
| Total AT&T Mobility FIRSTNET | | | | | \$345.22 |
| Axon Enterprise Inc | 43503 | | | | |
| | | Invoice -INUS162167 | | 2023 - June - 2nd Council Meeting | |
| | | 2022 Taser 7 Cert Bundle w/vr | | | |
| | | 001-000-070-521-20-32-03 | | Small Equipment Police | \$880.07 |
| | | | | 2022 Taser 7 Cert Bundle w/vr | |
| | | | | 001-000-070-521-20-44-01 | |
| | | | | WASPC Grant Duty to Intervene - Expenditures | \$10,000.00 |
| | | | | 2022 Taser 7 Cert Bundle w/vr | |
| | | Total Invoice -INUS162167 | | | \$10,880.07 |
| Total Axon Enterprise Inc | | | | | \$10,880.07 |
| Diamond Rentals & Sales | 0 | | | | |
| | | Invoice - 1-632013 | | 2023 - June - 2nd Council Meeting | |
| | | Seawall Park Portable | | | |
| | | 105-000-000-557-30-40-03 | | Contract Services (R&R, Chamber 1%, County) | \$0.00 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|--|--------------|---------------------------|----------------|--|-------------------|
| | | Total Invoice - 1-632013 | | Seawall Park Portable | \$0.00 |
| | | | | | \$0.00 |
| | | | | | \$0.00 |
| Total Diamond Rentals & Sales | | | | | |
| Econorthwest | | | | | |
| | 43505 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice - 27340 | | Refining HAP strategies; drafting HAP document April 2023 | |
| | | | | 001-000-110-558-60-40-07 Professional Fees/Reimbursable - Grant Funded | \$3,342.50 |
| | | | | Refining HAP strategies; drafting HAP document April 2023 | |
| | | Total Invoice - 27340 | | | \$3,342.50 |
| | | Invoice - 27546 | | Finalizing HAP document for adoption | |
| | | | | 001-000-110-558-60-40-07 Professional Fees/Reimbursable - Grant Funded | \$655.65 |
| | | | | Finalizing HAP document for adoption May 2023 | |
| | | Total Invoice - 27546 | | | \$655.65 |
| Total Econorthwest | 43505 | | | | \$3,998.15 |
| Edge Analytical Labs | | | | | |
| | 43506 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice -23-15270 | | Monthly Nutrient | |
| | | | | 401-000-000-534-10-40-04 SDWA Testing | \$0.00 |
| | | | | 402-000-000-535-10-40-04 Sewer Plant Testing | \$245.00 |
| | | | | Monthly Nutrient | |
| | | Total Invoice -23-15270 | | | \$245.00 |
| Total Edge Analytical Labs | 43506 | | | | \$245.00 |
| GALLS, LLC | | | | | |
| | 43507 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice - 024521452 | | Uniform applique | |
| | | | | 001-000-070-521-20-33-01 Uniforms | \$18.10 |
| | | | | Uniform applique | |
| | | Total Invoice - 024521452 | | | \$18.10 |
| Total GALLS, LLC | 43507 | | | | \$18.10 |

| Vendor Number | Reference | Account Number | Description | Amount |
|---------------------------------------|--|--|-----------------------------|----------|
| IDEXX Distribution Inc 43508 | 2023 - June - 2nd Council Meeting | | | |
| | Invoice - 3129735770 | WP0201 Gamma Irrad Colilert 100 ML 20 pk | | |
| | | 401-000-000-534-80-31-01 | Parts, Chemicals & Supplies | \$226.04 |
| | | WP0201 Gamma Irrad Colilert 100 ML 20 pk | | \$226.04 |
| | Total Invoice - 3129735770 | | | \$226.04 |
| Total IDEXX Distribution Inc | | | | \$226.04 |
| Island County Human Services 43509 | 2023 - June - 2nd Council Meeting | | | |
| | Invoice - Q1 - 2023 Substance use disorder program | Q1-2023 RCW 71.24.555 | | |
| | | 001-000-125-566-00-48-06 | Island Co. Alcohol Program | \$82.43 |
| | | Q1-2023 RCW 71.24.555 | | \$82.43 |
| | Total Invoice - Q1 - 2023 Substance use disorder program | | | \$82.43 |
| Total Island County Human Services | | | | \$82.43 |
| Island Disposal Inc 43510 | 2023 - June - 2nd Council Meeting | | | |
| | Invoice - 7617285S144 | 6/1 - 6/30 | | |
| | | 001-000-000-511-60-46-01 | Utilities | \$15.26 |
| | | 6/1 - 6/30 | | |
| | | 001-000-070-521-20-46-01 | Utilities | \$15.26 |
| | | 6/1 - 6/30 | | |
| | | 001-000-100-518-30-46-01 | Utilities | \$15.26 |
| | | 6/1 - 6/30 | | |
| | | 001-000-110-558-60-46-01 | Utilities | \$15.26 |
| | | 6/1 - 6/30 | | |
| | | 001-000-120-558-50-46-01 | Utilities | \$15.26 |
| | | 6/1 - 6/30 | | |
| | | 001-000-150-576-80-41-02 | Utilities | \$15.33 |
| | | 101-000-000-543-10-47-00 | Utilities | \$15.26 |
| | 6/1 - 6/30 | | | |
| | 104-000-000-536-10-46-01 | Utilities-Cemetery | \$15.26 | |
| | 6/1 - 6/30 | | | |
| | 105-000-000-557-30-46-01 | Utilities/MC & R/R | \$15.26 | |
| | 6/1 - 6/30 | | | |
| | 401-000-000-534-10-46-01 | Utilities-Water Dept. | \$15.26 | |
| | 6/1 - 6/30 | | | |

| Vendor | Number | Reference | Account Number | Description | Amount |
|---|-------------------------------|-----------|------------------------------------|--|-----------------|
| | | | 402-000-000-535-10-43-01 | Sewer-Utilities/Waste Disposal | \$15.26 |
| | | | 6/1 - 6/30 | | |
| | | | 403-000-000-531-10-46-01 | Utilities | \$15.26 |
| | | | 6/1 - 6/30 | | |
| | | | Total Invoice - 7617285S144 | | |
| Total Island Disposal Inc | Total 43510 | | | | \$183.19 |
| Total Island Disposal Inc | 43511 | | | | \$183.19 |
| Island Ductless Heat Pumps LLC | 43511 | | | | \$183.19 |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Library Bldg Annual Maintenance | |
| | | | 001-000-140-572-50-40-02 | Professional Services - Maintenance | \$504.94 |
| | | | | Library Annual Maintenance | \$504.94 |
| | | | | | \$504.94 |
| Total Island Ductless Heat Pumps LLC | Total 43511 | | | | \$504.94 |
| NAPA Auto Parts | 43512 | | | | \$504.94 |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | O Ring | |
| | | | 402-000-000-535-10-30-01 | Supplies | \$0.50 |
| | | | | O-Ring | \$0.50 |
| Total Invoice - 685663 | Total Invoice - 685663 | | | | \$0.50 |
| Invoice - 685901 | Invoice - 685901 | | | | \$0.50 |
| | | | | Blue Def 2.5 gal | |
| | | | 101-000-000-544-90-31-02 | Fuel & Maintenance | \$35.88 |
| | | | | Blue Def 2.5 gal | \$35.88 |
| Total Invoice - 685901 | Total Invoice - 685901 | | | | \$35.88 |
| Invoice - 685970 | Invoice - 685970 | | | | \$35.88 |
| | | | | Silicone Brake Grease | |
| | | | 101-000-000-543-10-30-01 | Supplies | \$6.53 |
| | | | | Silicone Brake Grease | \$6.53 |
| Total Invoice - 685970 | Total Invoice - 685970 | | | | \$6.53 |
| Invoice - 876928 | Invoice - 876928 | | | | \$6.53 |
| Total NAPA Auto Parts | Total 43512 | | | | \$42.91 |
| Ogden, Murphy, Wallace; Attorneys | 43513 | | | | \$42.91 |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Various | |
| | | | 001-000-000-511-60-40-03 | Professional Services - Legal | \$1,738.50 |
| | | | | Professional Services - May 2023 | \$1,738.50 |
| | | | 001-000-010-513-10-40-02 | Professional Services - Legal | \$1,098.00 |
| | | | | Professional Services - May 2023 | \$1,098.00 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|--------|--------------------------|-----------|----------------|---|-------------------|
| | 001-000-010-513-10-40-02 | | | Professional Services - Legal | \$122.00 |
| | 001-000-030-514-20-40-03 | | | Professional Services - May 2023 | |
| | 001-000-070-521-20-40-04 | | | Professional Services - Legal | \$1,464.00 |
| | 001-000-110-558-60-40-03 | | | Professional Services - May 2023 | |
| | 001-000-110-558-60-40-03 | | | Professional Services - Legal | \$91.50 |
| | 001-000-110-558-60-40-03 | | | Professional Svcs Legal | \$114.00 |
| | 001-000-110-558-60-40-03 | | | Professional Services - May 2023 | |
| | 001-000-110-558-60-40-03 | | | Professional Svcs Legal | \$1,128.50 |
| | 001-000-110-558-60-40-03 | | | Professional Services - May 2023 | |
| | 001-000-110-558-60-40-03 | | | Professional Svcs Legal | \$76.00 |
| | | | | Total Invoice - 876928 | |
| | | | | Total 43513 | \$5,832.50 |
| | | | | Total Ogden, Murphy, Wallace; Attorneys | \$5,832.50 |
| | | | | Pitney Bowes Global Finan Serv LLC | \$5,832.50 |
| | | | | 43514 | |
| | | | | Invoice - 3317552962 | |
| | | | | 4/10 - 7/9/23 | |
| | 001-000-010-513-10-40-01 | | | Professional Services - ADMIN Shared Cost | \$3.47 |
| | 001-000-030-514-20-40-02 | | | Professional Services - ADMIN Shared Cost | \$19.09 |
| | 001-000-070-521-20-40-01 | | | Professional Services - ADMIN Shared Cost | \$19.09 |
| | 001-000-110-558-60-40-00 | | | Professional Services - ADMIN Shared Cost | \$8.68 |
| | 001-000-120-558-50-40-00 | | | Professional Services - ADMIN Shared Cost | \$1.74 |
| | 001-000-150-576-80-40-00 | | | Professional Services - ADMIN Shared Cost | \$5.21 |
| | 001-000-180-518-80-40-01 | | | Professional Services | \$1.74 |
| | 101-000-000-543-10-40-01 | | | Professional Services - ADMIN Shared Cost | \$19.09 |
| | 104-000-000-536-10-40-00 | | | Professional Services - ADMIN Shared Cost | \$1.74 |
| | 105-000-000-557-30-40-00 | | | Professional Services - ADMIN Shared Cost | \$12.15 |
| | 401-000-000-534-10-40-01 | | | Professional Services - ADMIN Shared Cost | \$39.92 |
| | 402-000-000-535-10-40-01 | | | Professional Services - ADMIN Shared Cost | \$27.77 |
| | 403-000-000-531-10-40-01 | | | Professional Services - ADMIN Shared Cost | \$13.89 |
| | | | | Total Invoice - 3317552962 | \$173.58 |
| | | | | Total 43514 | \$173.58 |
| | | | | Total Pitney Bowes Global Finan Serv LLC | \$173.58 |
| | | | | Public Safety Psychological Services | |
| | | | | 43515 | |
| | | | | Invoice - 3486 | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | POST-COE Psychological Evaluation | |
| | 001-000-070-521-20-42-02 | | | Training Registration Cost | \$410.00 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|--|--------------|---------------------------------|--------------------------|--------------------------------|-----------------|
| POST-COe Psychological Evaluation: New Employee | | | | | |
| | | Total Invoice - 3486 | | | \$410.00 |
| Total Public Safety Psychological Services | 43515 | | | | \$410.00 |
| Puget Sound Energy | 43516 | | | | \$410.00 |
| 2023 - June - 2nd Council Meeting | | | | | |
| | | Invoice -0042 June | 4/21 - 5/22 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$11.63 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -0042 June | | | \$11.63 |
| | | Invoice -0863 June | 4/21 - 5/22 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$31.95 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -0863 June | | | \$31.95 |
| | | Invoice -0964 June | 4/21 - 5/22 | | |
| | | | 105-000-000-557-30-46-01 | Utilities/MC & R/R | \$85.66 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -0964 June | | | \$85.66 |
| | | Invoice -1532 June | 4/21 - 5/22 | | |
| | | | 101-000-000-542-63-46-01 | Street Lighting Utilities | \$39.43 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -1532 June | | | \$39.43 |
| | | Invoice -1760 June | 4/21 - 5/22 | | |
| | | | 001-000-150-576-80-46-04 | Parks-Utilities/waste Disposal | \$19.53 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -1760 June | | | \$19.53 |
| | | Invoice -2896 June | 4/21 - 5/22 | | |
| | | | 001-000-100-518-30-46-01 | Utilities | \$256.57 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -2896 June | | | \$256.57 |
| | | Invoice -3304 June | 4/21 - 5/22 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$277.74 |
| | | | 4/21 - 5/22 | | |
| | | Total Invoice -3304 June | | | \$277.74 |

City of Langley Council Meeting- Draft Agenda
 Tuesday June 20th, 2023 5:30pm

| Vendor | Number | Reference | Account Number | Description | Amount |
|--------|---------------------------------|--------------------------|----------------|--------------------------------|-------------------|
| | Invoice -3338 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 001-000-150-576-80-46-04 | | Parks-Utilities/waste Disposal | \$105.86 |
| | | | PSE | | |
| | Total Invoice -3338 June | | | | \$105.86 |
| | Invoice -3859 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 402-000-000-535-10-46-01 | | Utilities-Sewer Dept. | \$33.13 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -3859 June | | | | \$33.13 |
| | Invoice -5060 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 401-000-000-534-10-46-01 | | Utilities-Water Dept. | \$281.93 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -5060 June | | | | \$281.93 |
| | Invoice -6751 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 402-000-000-535-10-46-01 | | Utilities-Sewer Dept. | \$3,112.46 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -6751 June | | | | \$3,112.46 |
| | Invoice -6751 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 401-000-000-534-10-46-01 | | Utilities-Water Dept. | \$121.49 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -6751 June | | | | \$121.49 |
| | Invoice -7646 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 402-000-000-535-10-46-01 | | Utilities-Sewer Dept. | \$426.05 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -7646 June | | | | \$426.05 |
| | Invoice -8083 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 402-000-000-535-10-46-01 | | Utilities-Sewer Dept. | \$52.43 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -8083 June | | | | \$52.43 |
| | Invoice -8113 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 402-000-000-535-10-46-01 | | Utilities-Sewer Dept. | \$1,318.91 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -8113 June | | | | \$1,318.91 |
| | Invoice -8593 June | | | | |
| | | 5/3 - 6/2/23 | | | |
| | | 101-000-000-542-63-46-01 | | Street Lighting Utilities | \$898.92 |
| | | | 5/3 - 6/22 | | |
| | Total Invoice -8593 June | | | | \$898.92 |
| | Invoice -8745 June | | | | |
| | | 4/21 - 5/22 | | | |
| | | 401-000-000-534-10-46-01 | | Utilities-Water Dept. | \$898.92 |
| | | | 4/21 - 5/22 | | |
| | Total Invoice -8745 June | | | | \$898.92 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|--------|--------|---------------------------------|---|--|-------------------|
| | | Invoice -8978 June | | | |
| | | | 4/21 - 5/22 | | |
| | | | 001-000-150-576-80-46-04 | Parks-Utilities/waste Disposal | \$17.21 |
| | | | | PSE 4/21 - 5/22 | |
| | | Total Invoice -8978 June | | | \$17.21 |
| | | Invoice -9941 June | | | |
| | | | 4/21 - 5/22 | | |
| | | | 101-000-000-542-63-46-01 | Street Lighting Utilities | \$22.52 |
| | | | | 4/21 - 5/22 | |
| | | Total Invoice -9941 June | | | \$22.52 |
| | | Total 43516 | | | \$7,113.42 |
| | | Total Puget Sound Energy | | | \$7,113.42 |
| | | Sebo's DO IT Center | | | |
| | | 43517 | | | |
| | | Invoice - A1487382 | | | |
| | | | Trailer End Plug | | |
| | | | 101-000-000-543-10-30-01 | Supplies | \$0.00 |
| | | | | Trailer End Plug | |
| | | Total Invoice - A1487382 | | | \$0.00 |
| | | Invoice - A1488046 | | | |
| | | | Vegetation Killer & Truck Wash | | |
| | | | 402-000-000-535-10-30-01 | Supplies | \$85.36 |
| | | | | Vegetation Killer & Truck Wash | |
| | | Total Invoice - A1488046 | | | \$85.36 |
| | | Invoice - A1489488 | | | |
| | | | Dust mop | | |
| | | | 402-000-000-535-10-30-01 | Supplies | \$35.89 |
| | | | | Dust mop | |
| | | Total Invoice - A1489488 | | | \$35.89 |
| | | Invoice - A1490289 | | | |
| | | | Road Supplies | | |
| | | | 101-000-000-542-69-30-01 | Traffic & Pedestrian Supplies | \$29.91 |
| | | | | Street Supplies | |
| | | Total Invoice - A1490289 | | | \$29.91 |
| | | Invoice - A1491454 | | | |
| | | | Chem Resist Bottle & Sprayer | | |
| | | | 401-000-000-534-10-40-05 | Professional Services - Repair and Maintenance | \$11.50 |
| | | | | Water | |
| | | Total Invoice - A1491454 | | | \$11.50 |
| | | Invoice - B1331814 | | | |
| | | | Sewer Hardware | | |
| | | | 101-000-000-542-69-30-01 | Traffic & Pedestrian Supplies | \$29.91 |
| | | | | Streets Supplies | |
| | | | 402-000-000-535-10-30-01 | Supplies | \$13.79 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|---|--------|-----------|----------------|--|---|
| Total 43517 | | | | | \$43,70 |
| Total Sebo's DO IT Center | | | | | \$206.36 |
| | | | | Sewer Supplies | \$206.36 |
| Shred-IT c/o Stericycle, Inc | | | | | |
| 43518 | | | | | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - 8003984173 | |
| | | | | Shredding service | |
| | | | | 001-000-010-513-10-40-01 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-030-514-20-40-02 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-070-521-20-40-01 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-110-558-60-40-00 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-120-558-50-40-00 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-150-576-80-40-00 | Professional Services - ADMIN Shared Cost |
| | | | | 001-000-180-518-80-40-01 | Professional Services |
| | | | | 101-000-000-544-90-40-01 | Professional Services |
| | | | | 104-000-000-536-10-40-00 | Professional Services - ADMIN Shared Cost |
| | | | | 105-000-000-557-30-40-00 | Professional Services - ADMIN Shared Cost |
| | | | | 401-000-000-534-10-40-01 | Professional Services - ADMIN Shared Cost |
| | | | | 402-000-000-535-10-40-01 | Professional Services - ADMIN Shared Cost |
| | | | | 403-000-000-531-10-40-01 | Professional Services - ADMIN Shared Cost |
| | | | | Total Invoice - 8003984173 | \$87.27 |
| Total 43518 | | | | | \$87.27 |
| Total Shred-IT c/o Stericycle, Inc | | | | | \$87.27 |
| Sound Maintenance Services Inc | | | | | |
| 43519 | | | | | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - 137374 | |
| | | | | Janitorial Service VC | |
| | | | | 105-000-000-557-30-40-03 | Contract Services (R&R, Chamber 1%, County) |
| | | | | Visitor Center Janitorial | |
| | | | | Total Invoice - 137374 | \$1,850.00 |
| Total 43519 | | | | | \$1,850.00 |
| Total Sound Maintenance Services Inc | | | | | \$1,850.00 |
| Sound Publishing Inc | | | | | |
| 43520 | | | | | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - SWR977603 | |
| | | | | 001-000-110-558-60-43-02 | Publications/Notifications |
| | | | | Hearing 6/7/23 | |
| | | | | Total Invoice - SWR977603 | \$142.50 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|---|--------|----------------------------------|---|--|-------------------|
| | | Invoice - SWR977665 | | | |
| | | | 001-000-000-511-60-40-02 | Professional Services - ADMIN Shared Cost | \$70.50 |
| | | Total Invoice - SWR977665 | | | \$70.50 |
| | | Invoice - SWR977666 | | | |
| | | | 001-000-000-511-60-40-02 | Professional Services - ADMIN Shared Cost Ordinance #1109 Legal Publication | \$63.00 |
| | | Total Invoice - SWR977666 | | | \$63.00 |
| | | Invoice - SWR977667 | | | |
| | | | 001-000-000-511-60-40-02 | Professional Services - ADMIN Shared Cost Ordinance #1108 | \$60.00 |
| | | Total Invoice - SWR977667 | | | \$60.00 |
| | | Total 43520 | | | \$336.00 |
| Total Sound Publishing Inc | | | | | \$336.00 |
| Town of Coupeville | | | | | |
| | 43521 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice - BO-23-005 | | | |
| | | | May 2023 Building Official | | |
| | | | 001-000-120-558-50-40-02 | Bldg. Official/inspections May 2023 Building Official | \$3,392.00 |
| | | Total Invoice - BO-23-005 | | | \$3,392.00 |
| | | Total 43521 | | | \$3,392.00 |
| Total Town of Coupeville | | | | | \$3,392.00 |
| UST GENERAL YARD WORK ATTN: Zacarias DeJesus Alvarez | | | | | |
| | 43522 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice - INV-1213 | | | |
| | | | 5/12 - 5/25/23 May Mowing | | |
| | | | 104-000-000-536-10-40-01 | Cemetery Services 5/12 - 5/25/23 May Mowing | \$1,131.52 |
| | | Total Invoice - INV-1213 | | | \$1,131.52 |
| | | Total 43522 | | | \$1,131.52 |
| Total UST GENERAL YARD WORK ATTN: Zacarias DeJesus Alvarez | | | | | \$1,131.52 |
| Utilities Underground | | | | | |
| | 43523 | | | 2023 - June - 2nd Council Meeting | |
| | | Invoice - 3050175 | | | |
| | | | Excavation Notifications, Modem Ticket Delivery | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. Excavation Notifications, Modem Ticket Delivery | \$21.56 |
| | | Total Invoice - 3050175 | | | \$21.56 |
| | | Total 43523 | | | \$21.56 |
| Total Utilities Underground | | | | | \$21.56 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|--------|--------|-----------|----------------|-------------|--------|
|--------|--------|-----------|----------------|-------------|--------|

VISA

43524

2023 - June - 2nd Council Meeting

Invoice - Chaplin S

Chaplin

| | | |
|--------------------------|--|------------|
| 001-000-000-511-60-40-02 | Professional Services - ADMIN Shared Cost | (\$217.59) |
| 001-000-010-513-10-40-01 | Amazon - returned projector (see April invoice, pd in May) | \$42.98 |
| 001-000-010-513-20-48-01 | Professional Services - ADMIN Shared Cost | \$150.00 |
| 001-000-030-514-20-42-02 | Mailchimp - recurring monthly charge | \$18.93 |
| | Association dues | |
| | Washington Trust for Historic Preservation's Maritime Heritage Area Project membership | |
| 001-000-030-514-20-42-02 | Training Registration Costs | \$41.99 |
| | Zoom Monthly Charges | |
| | Zoom webinar | |
| 001-000-180-518-80-32-04 | Software and IT | \$21.75 |
| 001-000-180-518-80-41-03 | Adobe - recurring monthly charge | \$33.34 |
| | Ntwk/website Bldg & Admin | |
| | Hover - domain renewal | |

Total Invoice - Chaplin S

Invoice - Grono W

Grono

| | | |
|--------------------------|--|---------|
| 001-000-030-514-20-42-00 | Postage Machine Expenses | \$10.21 |
| | Certified Return Receipt IRS 1099MISC Filing | |

Total Invoice - Grono W

Invoice - Perry R

Perry

| | | |
|--------------------------|---|----------|
| 001-000-150-576-80-30-01 | Supplies | \$90.55 |
| | Small Engines Pro: Mower parts - pulleys and belt | |
| 001-000-150-576-80-30-01 | Supplies | \$56.67 |
| | Small Engines Pro: Mower parts - Pulley | |
| 001-000-150-576-80-30-01 | Supplies | \$102.61 |
| | DB Electrical Honda engine starter | |
| 001-000-180-518-80-32-04 | Software and IT | \$16.31 |
| | Monthly Adobe Subscription | |
| 402-000-000-535-10-47-01 | Repairs & Maintenance | \$25.60 |
| | Ferry - Perry 5/26/23 | |

Total Invoice - Perry R

Invoice - Wasser T

Wasser

| | | |
|--------------------------|--|----------|
| 001-000-070-521-20-33-01 | Uniforms | \$10.87 |
| | Amazon - Streamlight Lithium Batteries | |
| 001-000-070-521-20-33-01 | Uniforms | \$529.77 |
| | Amazon - Holster, Speaker Mic, Reflective Police Vest, Weapon Light, Battery | |
| 001-000-070-521-20-33-01 | Uniforms | \$29.37 |
| | Amazon - Radio Charger | |

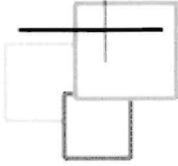
| Vendor | Number | Reference | Account Number | Description | Amount |
|--------|--------|-----------|--------------------------|--|-------------------|
| | | | 001-000-070-521-20-33-01 | Uniforms | \$22.58 |
| | | | | Magnum Electronics - no receipt | |
| | | | 001-000-070-521-20-42-01 | Travel Transportation/Meals/Lodging | \$102.00 |
| | | | | Whidbey Seatac Shuttle 4/27 (WASPC Conference) | |
| | | | 001-000-070-521-20-42-01 | Travel Transportation/Meals/Lodging | \$395.37 |
| | | | | Marriott - Spokane - WASPC Conference | |
| | | | 303-000-000-594-21-60-01 | Police vehicle purchase | \$250.00 |
| | | | | New Police Vehicle (Tesla) Charger | |
| | | | 303-000-000-594-21-60-01 | Police vehicle purchase | \$250.24 |
| | | | | New Police Vehicle Reservation Charge | |
| | | | | Total Invoice - Wasser T | \$1,590.20 |
| | | | | Total 43524 | \$1,983.55 |
| | | | | Total VISA | \$1,983.55 |
| | | | | Vision Municipal Solutions | |
| | | | | 43525 | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - 09-12754 | |
| | | | | Utility Billing & Insert | |
| | | | 001-000-180-518-80-32-04 | Software and IT | \$579.01 |
| | | | | May Utility Billing | |
| | | | 401-000-000-534-10-40-03 | Professional Services - Software | \$87.83 |
| | | | | Flushing Insert in May utility Billing | |
| | | | | Total Invoice - 09-12754 | \$666.84 |
| | | | | Total Vision Municipal Solutions | \$666.84 |
| | | | | Watershed Company | |
| | | | | 43526 | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - 0047367 | |
| | | | | Langley Utility Improvements Ph 2C | |
| | | | 306-000-000-594-34-60-01 | Capital Grant Expenditures | \$2,398.94 |
| | | | | April Langley Utility Impro Ph #2C | |
| | | | 405-000-000-594-34-60-06 | CIP W-5 Edgecliff (Furman-Wilkinson) Main | \$278.18 |
| | | | | April Langley Utility Impro Ph #2C | |
| | | | 408-000-000-594-34-60-03 | RR-8 W71-W70 (Al Anderson Rd) LIP 14 | \$86.02 |
| | | | | April Langley Utility Impro Ph #2C | |
| | | | | Total Invoice - 0047367 | \$2,763.14 |
| | | | | Total Watershed Company | \$2,763.14 |
| | | | | Whidbey Telecom | |
| | | | | 43527 | |
| | | | | 2023 - June - 2nd Council Meeting | |
| | | | | Invoice - 107701 | |
| | | | | 6/1 - 6/30 | |
| | | | 001-000-050-518-10-46-01 | Utilities-General Government | \$74.07 |

| Vendor | Number | Reference | Account Number | Description | Amount |
|-------------------------------|--------|-----------|--------------------------|------------------------------|-------------------|
| | | | 6/1 - 6/30 | Web | |
| Total Invoice - 107701 | | | | | \$74.07 |
| Invoice - 117026 | | | 6/1 - 6/30 | | |
| | | | 001-000-050-518-10-46-01 | Utilities-General Government | \$900.03 |
| | | | 6/1 - 6/30 | Phones | |
| Total Invoice - 117026 | | | | | \$900.03 |
| Invoice - 117031 | | | 6/1 - 6/30 | | |
| | | | 001-000-050-518-10-46-01 | Utilities-General Government | \$43.89 |
| | | | 6/1 - 6/30 | Fax | |
| Total Invoice - 117031 | | | | | \$43.89 |
| Invoice - 117032 | | | 6/1 - 6/30 | | |
| | | | 001-000-070-521-20-46-01 | Utilities | \$221.38 |
| | | | 6/1 - 6/30 | | |
| Total Invoice - 117032 | | | | | \$221.38 |
| Invoice - 117034 | | | 6/1 - 6/30 | | |
| | | | 401-000-000-534-10-46-01 | Utilities-Water Dept. | \$44.64 |
| | | | 6/1 - 6/30 | | |
| Total Invoice - 117034 | | | | | \$44.64 |
| Invoice - 117035 | | | 6/1 - 6/30 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$47.31 |
| | | | 6/1 - 6/30 | | |
| Total Invoice - 117035 | | | | | \$47.31 |
| Invoice - 117037 | | | 6/1 - 6/30 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$43.62 |
| | | | 6/1 - 6/30 | | |
| Total Invoice - 117037 | | | | | \$43.62 |
| Invoice - 118627 | | | 6/1 - 6/30 | | |
| | | | 402-000-000-535-10-46-01 | Utilities-Sewer Dept. | \$78.40 |
| | | | 6/1 - 6/30 | | |
| Total Invoice - 118627 | | | | | \$78.40 |
| Invoice - 178633 | | | 6/1 - 6/30 | | |
| | | | 001-000-050-518-10-46-01 | Utilities-General Government | \$27.21 |
| | | | 6/1 - 6/30 | Security Alarms | |
| Total Invoice - 178633 | | | | | \$27.21 |
| Total 43527 | | | | | \$1,480.55 |

City of Langley Council Meeting- Draft Agenda
 Tuesday June 20th, 2023 5:30pm

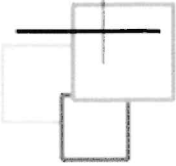
| Vendor | Number | Reference | Account Number | Description | Amount |
|------------------------------|--------|-----------|----------------|-------------|-------------------|
| Total Whidbey Telecom | | | | | \$1,480.55 |

| | | | | | |
|--------------------|--|---------------------|-----------|--|--------------------|
| Grand Total | | Vendor Count | 27 | | \$43,989.30 |
|--------------------|--|---------------------|-----------|--|--------------------|



Direct Deposit Activity

| Name | Social Security # | Bank Name | Account Number | Type | Amount |
|--------------------------------------|-------------------|-----------|----------------|------|--------------------|
| Direct Deposit Run - 6/1/2023 | | | | | |
| Baldwin, Darlene | | | 6/1/2023 | | \$1,573.78 |
| Bobis, Harolynne N | | | | | \$45.88 |
| Cattand, Alexis | | | | | \$2,025.93 |
| Chaplin, Scott | | | | | \$1,653.11 |
| Durr, Robert J. | | | | | \$2,510.95 |
| Fleming, Gail T | | | | | \$45.88 |
| Grone, Wanda J | | | | | \$3,090.77 |
| Grove, Timothy J. | | | | | \$2,732.17 |
| Hamilton, Bryan E. | | | | | \$2,301.17 |
| Hathaway, Nicholas G | | | | | \$2,841.48 |
| Herzberg, Robert | | | | | \$445.04 |
| Liggitt, Charles E. | | | | | \$3,332.99 |
| Marks, Joshua W. | | | | | \$2,016.60 |
| McDivitt, Tara J | | | | | \$1,756.20 |
| Pace, Jeremiah J. | | | | | \$1,653.30 |
| Penny, Meredith B | | | | | \$2,773.02 |
| Perry, Randi M. | | | | | \$2,813.69 |
| Salerno, Rhonda A | | | | | \$45.88 |
| Wasser, Tavler | | | | | \$3,031.65 |
| | | | | | \$36,689.49 |
| | | | | | \$36,689.49 |



Direct Deposit Activity

| Name | Social Security # | Bank Name | Account Number | Type | Amount |
|--------------------------------------|-------------------|-----------|----------------|------|-------------------|
| Direct Deposit Run - 6/9/2023 | | | | | |
| Proffitt, Austin L | | | 6112023 | | \$2,407.70 |
| | | | | | \$2,407.70 |
| | | | | | \$2,407.70 |

Register

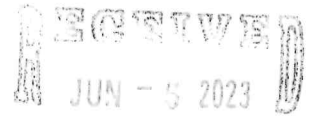
| | | | |
|----------------------|--------------------------|-----------------------------------|-------------|
| 43495 | Cyr, Craig | 2023 - June - 1st Council Meeting | \$45.88 |
| 43496 | Gill, Thomas | 2023 - June - 1st Council Meeting | \$45.88 |
| 43497 | AFLAC WORLDWIDE HEADQTRS | 2023 - June - 1st Council Meeting | \$213.42 |
| Direct Deposit Run - | Payroll Vendor | 2023 - June - 1st Council Meeting | |
| 5/16/2023 | | | |
| Direct Deposit Run - | Payroll Vendor | 2023 - June - 1st Council Meeting | |
| 6/1/2023 | | | |
| EFTPS-IRS EFT 6.2.23 | CITY OF LANGLEY | 2023 - June - 1st Council Meeting | \$12,785.43 |
| 5/16-5/31 Tax | | | |

13,090.61

Voucher Directory

Fiscal : 2023 - June
 Council Date : 2023 - June - June Manual

| Vendor | Number | Reference | Account Number | Description | Amount |
|---------------------------------------|--------------------------|-----------------------------------|----------------|---|-------------------|
| Abraham, Kristen Miller | 43498 | Invoice - 001 | | 2023 - June - June Manual | |
| | | | | Reorganization of City Records | |
| | | | | 001-000-030-514-20-40-04 Professional Services - Contract | \$3,120.00 |
| Total 43498 | | Total Invoice - 001 | | | \$3,120.00 |
| Total Abraham, Kristen Miller | | | | | \$3,120.00 |
| \$3,120.00 | | | | | \$3,120.00 |
| Darrel Duhm | 43499 | Invoice - 1001 | | 2023 - June - June Manual | |
| | | | | 2022 WA SAO Annual Report | |
| | | | | 001-000-030-514-20-40-04 Professional Services - Contract | \$2,604.00 |
| Total 43499 | | Total Invoice - 1001 | | | \$2,604.00 |
| Total Darrel Duhm | | | | | \$2,604.00 |
| \$2,604.00 | | | | | \$2,604.00 |
| Invoice Cloud | EFT 6.6.23 Invoice Cloud | Invoice - 384-2023_5 | | 2023 - June - June Manual | |
| | | | | Portal Access, Paperless Invoices | |
| | | | | 001-000-030-514-20-48-06 Credit fees | \$157.40 |
| | | | | 5/2023 Portal Access, Invoices for Paperless Customers | |
| Total EFT 6.6.23 Invoice Cloud | | Total Invoice - 384-2023_5 | | | \$157.40 |
| Total Invoice Cloud | | | | | \$157.40 |
| \$157.40 | | | | | \$157.40 |
| Grand Total | | Vendor Count | 3 | | \$5,881.40 |



REVISED

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - LICENSE SERVICES
1025 UNION AVE SE - P O Box 43075
Olympia WA 98504-3075
specialoccasions@lcb.wa.gov Fax: 360-753-2710

BY:

TO: MAYOR OF LANGLEY

JUNE 5, 2023

SPECIAL OCCASION #: 092239

WHIDBEY CHILDREN'S THEATRE
723 CAMANO AVE
LANGLEY, WA 98260

| | | | |
|-------|---------------|-------|-----------------|
| DATE: | JULY 21, 2023 | TIME: | 5 PM TO 7 PM |
| | JULY 22, 2023 | | 5 PM TO 7 PM |
| | JULY 23, 2023 | | 5 PM TO 7 PM |
| | JULY 30, 2023 | | 12 NOON TO 7 PM |

PLACE: WHIDBEY SCHOOL DISTRIC - SOUTH CAMPUS - OUTDOORS - 723 CAMANO AVE, LANGLEY

CONTACT: ANN M JOHNSON (DOB: 6.13.1974) (360) 221-8707

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|-----------------|----------------|
| 1. Do you approve of applicant? | YES <u> </u> | NO <u> </u> |
| 2. Do you approve of location? | YES <u> </u> | NO <u> </u> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <u> </u> | NO <u> </u> |

| <u>OPTIONAL CHECK LIST</u> | <u>EXPLANATION</u> | YES <u> </u> | NO <u> </u> |
|----------------------------|--------------------|-----------------|----------------|
| LAW ENFORCEMENT | _____ | YES <u> </u> | NO <u> </u> |
| HEALTH & SANITATION | _____ | YES <u> </u> | NO <u> </u> |
| FIRE, BUILDING, ZONING | _____ | YES <u> </u> | NO <u> </u> |
| OTHER: | _____ | YES <u> </u> | NO <u> </u> |

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - LICENSE SERVICES
1025 UNION AVE SE - P O Box 43075
Olympia WA 98504-3075
specialoccasions@lcb.wa.gov Fax: 360-753-2710

RECEIVED
JUN - 5 2023
BY:

TO: MAYOR OF LANGLEY

JUNE 5, 2023

SPECIAL OCCASION #: 092239

WHIDBEY CHILDREN'S THEATRE
723 CAMANO AVE
LANGLEY, WA 98260

| | | | |
|-------|-----------------|-------|-----------------|
| DATE: | AUGUST 5, 2023 | TIME: | 5 PM TO 7 PM |
| | AUGUST 6, 2023 | | 12 NOON TO 7 PM |
| | AUGUST 11, 2023 | | 5 PM TO 7 PM |
| | AUGUST 12, 2023 | | 5 PM TO 7 PM |
| | AUGUST 13, 2023 | | 12 NOON TO 7 PM |

PLACE: WHIDBEY SCHOOL DISTRICT - SOUTH CAMPUS - OUTDOORS - 723 CAMANO AVE, LANGLEY

CONTACT: ANN M JOHNSON (DOB: 6.13.1974) (360) 221-8707

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|-----------------|----------------|
| 1. Do you approve of applicant? | YES <u> </u> | NO <u> </u> |
| 2. Do you approve of location? | YES <u> </u> | NO <u> </u> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <u> </u> | NO <u> </u> |

| <u>OPTIONAL CHECK LIST</u> | <u>EXPLANATION</u> | YES <u> </u> | NO <u> </u> |
|----------------------------|--------------------|-----------------|----------------|
| LAW ENFORCEMENT | _____ | YES <u> </u> | NO <u> </u> |
| HEALTH & SANITATION | _____ | YES <u> </u> | NO <u> </u> |
| FIRE, BUILDING, ZONING | _____ | YES <u> </u> | NO <u> </u> |
| OTHER: | _____ | YES <u> </u> | NO <u> </u> |

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

C091080 -2 WASHINGTON STATE LIQUOR AND CANNABIS BOARD DATE: 06/06/2023

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF LANGLEY
(BY ZIP CODE) FOR EXPIRATION DATE OF 20230930

| LICENSEE | BUSINESS NAME AND ADDRESS | LICENSE NUMBER | PRIVILEGES |
|-----------------------------------|---|----------------|------------------------------------|
| 1. SWEDE HILL CELLARS LLC | OTT & HUNTER WINES 204 1ST ST LANGLEY WA 98260 0000 | 407515 | DOMESTIC WINERY < 250,000 ADDL LOC |
| 2. GRAYHORSE MERCANTILE CORPORATI | GRAYHORSE MERCANTILE 117 ANTHES AVE LANGLEY WA 98260 8433 | 433345 | GROCERY STORE - BEER/WINE |

RECEIVED
JUN 16 2023
DEC 1 2021



VOLUNTEER APPLICATION

CITY OF LANGLEY

112 Second St./PO Box 366 Langley, Washington 98260 (360) 221-4246

BY: Just Chyl
Interviewed
approved!
6/16/2023

Civil Service Commission
Member, ~~Langley Climate Crisis Action Committee~~

~~Jan 1, 2022~~ June 15, 2023

| | | |
|--------------------------------|---|-----------------------------|
| Position | Board/Department | Date |
| Morton | Peter | Michael |
| Name: Last | First | Middle |
| 351 Minnie Ln | | 360-730-1064 |
| Street Address | | Home Phone |
| Mailing Address (if different) | Email Address | |
| Langley | WA 98260 | 360-730-1064 |
| City | State | Zip |
| | | Daytime Phone |
| Are at least 18 years old? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| | If not, please specify your age _____ | |

BACKGROUND:

Education Bachelor Aeronautical Engineering

Occupation (s): Engineer, aerospace consultant, leadership coach

Other Volunteer Positions: Museum of Flight Board, Aviation Accreditation Board International

Hobbies: Pilot, musician, writer

Other applicable experience: Past Langley City Council member, chair & liaison of CCAC, Member of Public Works Advisory Commission

SKILLS:

List Applicable Skills Familiar with Roberts Rules, city government processes, OPMA, PRA

DESIRE:

Briefly describe why you are interested in volunteering:

I was involved in the founding of CCAC and would like to continue my involvement

Peter

Date: Effective Jan 1, 2022 June 16, 2023

by phone

Council Meeting Minutes
Monday, August 1, 2022

Meeting was called to order by Mayor Scott Chaplin at 5:30pm

Land Acknowledgement

ROLL CALL

In attendance: Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Council Member Gail Fleming, Meredith Penny Director of Community Planning, Randi Perry Director of Public Works, Tavier Wasser Chief of Police, and Darlene Baldwin Interim City Clerk

APPROVAL OF CONSENT AGENDA

Motion to Approve Consent Agenda

Motion: Council Member Thomas Gill
2nd: Council Member Gail Fleming

Motion passed unanimously.

APPROVAL OF AGENDA

Motion to Approve Agenda

Motion: Council Member Harolynne Bobis
2nd: Council Member Rhonda Salerno

Discussion:

Council Member Gail Fleming- Switch order of 3 & 4 on Unfinished Business

Council Member Craig Cyr – Remove item 1 from Unfinished Business

Council Member Rhonda Salerno – Add investment of funds to New Business Ordinance/Resolutions to under Discussion

Motion Passed unanimously with amendments

APPROVAL OF MINUTES

Motion to Approve Minutes 5/2/2022

Motion: Council Member Harolynne Bobis
2nd: Council Member Gail Fleming

Motion passed unanimously.

PUBLIC COMMENT PERIOD

Inge Moraschini, Executive Director Langley Chamber – will share during discussion of topic

PRESENTATION/GUEST SPEAKER/COMMISSION REPORTS

Mel Sheldon Jr, Council Member, Tulalip Tribes – Presented Mayor Chaplin & the City of Langley a paddle in gratitude for what you’ve done and what we can do in the future

Chy Ross, Assistant Director of Capital Strategy and Planning for Sno Isle Libraries – presentation on the Langley Library Project. There is a commitment to a long-term capital strategic plan to remodel the Langley Library. Sno Isle Libraries secured \$700,000 in state grant funding from the Library Capital Improvement Program. The Library District is required to provide matching funds and is committed to including the community’s voice in the libraries’ design decisions. Shared several proposed layouts and described the changes to each area.

Public Comment

Council Member Rhonda Salerno-sterile, modern look doesn’t really fit in with Langley so hoping we can work together to make it look more like Langley

Inge Moraschini, Executive Director Langley Chamber-Visuals are a bit on the generic side and looking forward to working with you and the rest of the community on this project

Council Member Craig Cyr-would like to see artwork and carvings from local tribes included
Peter Morton-will the library remodel include solar panels?

Cynthia Campbell Snohomish Tribe - would like to see more native art and more historic touches

Chris Carlson, FPLC Chair-question regarding proposed costs of maintaining of the Library

ORDINANCES/RESOLUTIONS

1. Ordinance repealing section 18.22.190 of the Langley Municipal Code, wireless communications facilities; adopting a new chapter 18.23 of the Langley Municipal Code related to wireless communications facilities; providing for the severability; and establishing an effective date – 1st reading – Andrew J. Campanella, Esq., Campanella & Associates, P.C

Discussion:

Mark Wahl, citizen who paid for the attorney- correction is that the cell tower on Cascade and 6th is in the public right away. A survey was done by the city.

APPROVAL OF ORDINANCE

Motion to Approve 1st reading of Ordinance repealing section 18.22.190 with the understanding that the 2nd reading be saved till September 6th, 2023 Council Meeting.

Motion: Council Member Thomas Gill

2nd: Council Member Harolynne Bobis

AMENDMENT OF ORDINANCE

Amend the Ordinance for reasons of inclusiveness and diversity. In four instances the ordinance has the pronoun “His”. Substitute the word “their” for “his” in those four locations.

Motion: Council Member Craig Cyr
2nd: Council Member Rhonda Salerno

Amendment passed with 4 in favor & one abstaining

Abstain-Council Member Rhonda Salerno, would like to see 2nd reading at next council meeting

2. Ordinance to create a Finance and Personnel Legislative Commission to deliberate and make recommendations on legislative matters relating to financial management of the city and its agents, the personnel system, the annual budget, taxes and fees, financial audits, appropriations, debts, claims, data processing, human rights, and administration of city funds – 1st reading and 2nd reading – Council Member Rhonda Salerno

APPROVAL OF ORDINANCE

Motion to Approve 1st and 2nd reading of Ordinance to create a Finance and Personnel Legislative Commission

Motion: Council Member Craig Cyr
2nd: Council Member Thomas Gill

Motion passed unanimously

3. Resolution to enact the Energy Innovation and Carbon Dividend Act of 2021 (H.R. 2307)

Motion to waive the 1st reading and approve

Motion: Council Member Gail Fleming
2nd Council Member Rhonda Salerno

Motion passed with 4 in favor

Abstain-Council Member Thomas Gill

NEW BUSINESS

1. Approve and authorize the Mayor to add two signers to the State of Washington Department of Treasury local government investment pool fund as a second Reading – Mayor Scott Chaplin

Motion to approve and authorize the mayor to add two signers to the Washington Department of Treasury local government investment pool fund

Motion: Council Member Gail Fleming
2nd Council Member Rhonda Salerno

Motion passed unanimously

2. Finance and Personnel Commission Update- Chris Carlson FPLC Chair

Shared that shortly after their first meeting Monica Felici, the former Clerk/Treasurer resigned. There was limited time to overlap with her and her knowledge to understand how she led the department. Darrel Duhm has been hired as a contract worker to help with finances until a permanent hire is in placed and trained. The FPLC will be evaluating what the city has done in the past and what is the best way to move forward. FPLC recommends investing the reserves in municipal investment and public money market checking accounts.

Mayor Scott Chaplin presented an overview of the finance reports included in the packet.

UNFINISHED BUSINESS

1. Council discussion on proposed Proclamation regarding density in the proposed Coles Valley Development- Gail Fleming
Public Comment:
Inge Moraschini, Langley Chamber Executive Director – signatures of 100 community members to support affordable housing in Langley. Pointed out that even at 50% affordable that would be 65 units for people that are currently quitting their jobs because they can no longer afford to live here.
Greg Easton-raised several concerns with the proclamation. One being reduced density in the name of Wise Growth and sees that as a contradiction with the Growth Management Act
Dominique Emerson-is in support of more rental units as a focus for the Coles Rd project and would like to see more development of apartment complexes in Langley
Mark Wahl-just saying more homes isn't necessarily the answer. Wondering to what extent the city can control second home buying verses first home
2. Report on Phase 1 of public outreach for City of Langley Housing Action Plan and Implementation project- Meredith Penny
The two consultants helping with the project are Brigid Reynolds with Compass Rose Planning and EcoNorthwest. EcoNorthwest is the one that will be doing the house research and analysis.

MAYOR'S REPORT

1. Staff is spread thin so the Mayor urged the public and council to be patient with them
2. The city is back to meeting in person according to state law. The city will provide a physical location where the public can come in or they can continue attending meetings by zoom. All meetings will be hybrid.
3. Looking into city water efficiency efforts
4. August 31st at 2:30pm Island County Courthouse there will be a hearing regarding a public records request case the city is involved in

COUNCIL REPORTS

1. Council Member Thomas Gill
 - a. Port of South Whidbey is still working with DOT on Clinton Dock, looking at possible passenger only service in the future. Also still working on their shoreline permits.
2. Council Member Craig Cyr
 - a. The Post Office is understaffed so they are sending people from all over the state. Two workers are from Wenatchee and Woodinville
 - b. Friday will be casting a vote with Island Transit Board for 5 Teslas for the Van Pool program
 - c. Reminder to vote, the ballot box is going to close at 8:00 pm
3. Council Member Harolynne Bobis
 - a. Not commuting off island currently
4. Council Member Rhonda Salerno
 - a. I would like to be on record supporting the vote for the United Student Leaders and the Citizens Climate Lobby. Along with CCAC the three organizations worked together to have a table at the Whidbey Island Fair
 - b. Contacted Kevin Dunham to share about options to reduce food waste. He presented recently at a council meeting
 - c. 6 positions available at Post Office, make your own hours and includes benefits
5. Council Member Gail Fleming
 - a. Spending time researching Coles Valley Project

ADJOURNMENT- 9:01pm Mayor Scott Chaplin

Council Meeting Minutes
Monday, August 15, 2022

Meeting was called to order by Mayor Scott Chaplin at 5:30pm

Land Acknowledgement

ROLL CALL

In attendance: Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Council Member Gail Fleming, Meredith Penny Director of Community Planning, Randi Perry Director of Public Works, Tavier Wasser Chief of Police, and Darlene Baldwin Interim City Clerk

APPROVAL OF CONSENT AGENDA

Motion to Approve Consent Agenda

Motion: Council Member Thomas Gill

2nd: Council Member Rhonda Salerno

Motion passed unanimously.

APPROVAL OF AGENDA

Motion to Approve Agenda

Motion: Council Member Thomas Gill

2nd: Council Member Rhonda Salerno

Discussion:

Council Member Craig Cyr- move Item #1 Housing Emergency Resolution from Ordinance/Resolutions to under Discussion

Motion Passed unanimously with amendments

MAYOR'S REPORT

1. Transferred funds from low interest checking account to State of Washington Local Investment Pool earning a higher return
2. Looking at getting Council Members bonded
3. Whidbey and Camano Island Tourism Board does not function like a government agency. Question to lawyer if the board is required to follow the Public Records Act
4. Working on a few public records requests
5. Citizens are sharing concerns about the library remodel design and process
6. Looking into city water efficiency efforts
7. August 31st at 2:30pm Island County Courthouse there will be a hearing regarding a public records request case the city is involved in

NEW BUSINESS

1. Council consideration of the Release of Claims Agreement for the Saratoga Dental remodel at 724 Camano Ave allowing for decommissioning of the existing fire suppression system. -Meredith Penny, Community Planning Director

Motion to Approve remodel at 724 Camano Ave allowing for decommissioning of the existing fire suppression system

Motion: Council Member Rhonda Salerno
2nd Council Member Thomas Gill

Motion passed unanimously.

2. Approval of Website Design Refresh and Modules Upgrade by Revize contract signing. -Darlene Baldwin, Interim City Clerk
Basic housekeeping allowing for free upgrade and added modules with renewing contract.

Motion to Approve contract signing with Revize for updating

Motion: Council Member Craig Cyr
2nd Council Member Harolynne Bobis

Motion passed unanimously

3. Discussion on Investment Policy Changes-Mayor Scott Chaplin

Motion to authorize LGIP as an authorized pool

Motion: Council Member Craig Cyr
2nd: Council Member Thomas Gill

Motion passed unanimously

DISCUSSION

1. Discussion of the Council 2022 work plan that was put together in January of this year- Council Member Rhonda Salerno
Add onto next agenda- review work plan - September 6th.
2. Housing Emergency Resolution – Mayor Scott Chaplin
Discussion:
Mayor Scott Chaplin-there is a need to address the immediate housing crisis. What is being presented for discussion is not a formal resolution.
Community Planning Director Meredith Penny- There is a need to be clear about how changes to camping regulations will be made. Some changes will require an ordinance. A moratorium could have unintended consequences.
Public Works Director Randi Perry- Is there a way to gauge the need to extend the moratorium? There currently is an issue about how to enforce regulations when they occur on public property. There needs to be a way to address public health issues.
Community Planning Director Meredith Penny- Clarified that no permit is needed if camping for under 7 days on private property. No camping allowed on vacant property. Currently there are no inquiries about camping on private property besides the church.

Police Chief Tavier Wasser- Island County is currently dealing with a huge issue of abandoned RVs and disposal. Could possibly be a problem for the city.

Council Member Thomas Gill- Regarding camping, instead of extending permit possibly allowing the renewing of the permit for a certain number of times. Is it possible that the property owner versus RV owner obtain the permit?

Council Member Craig Cyr- Postpone conversation to another meeting on how to allow for extending a permit.

Community Planning Director Meredith Penny will investigate and come back to discuss at the next council meeting

STAFF REPORTS

1. Meredith Penny, Planning Director

- a. Continuing work on Housing Action Plan. Will be meeting with focus groups in October
- b. Critical areas update. Public participation plan pulled together
- c. Wireless code coming back to Council in September for a second reading
- d. Working with THINC to get a deed restriction & bond in place
- e. Several permits in process. The Port of South Whidbey is looking for a zoning overlay change for the fairgrounds so workforce housing can be built

2. Randi Perry, Public Works Director

- a. City Hall foundation work complete.
- b. Looking at applications submitted to replace Joe Wierzbowski
- c. Working on asset management
- d. Working on budget for next year
- e. Infrastructure project underway
- f. Coordinating with Island County regarding the outfall upgrade out on Edgecliff

3. Tavier Wasser Police Chief

- a. Nick Hathaway attended National Night Out in Oak Harbor
- b. Looking to hire a 3rd party records consultant
- c. Attended Island County CERT program and now certified
- d. Reviewing list of potential candidates for 4th officer
- e. Will be reviewing vehicle replacement soon
- f. Police Department will be over budget due to overtime

COUNCIL REPORTS

1. Council Member Thomas Gill
 - a. Port of South Whidbey still working on kitchen remodel at fairgrounds
 - b. Will be attending the Harbor Inn property injunction.
2. Council Member Harolynne Bobis
 - a. Nothing to report
3. Council Member Rhonda Salerno

- a. Appreciate Main Street crews work, will be attending their upcoming meetings
 - b. Met with Inge Morascini, Langley Chamber of Commerce Executive Director to discuss local business community
 - c. CCAC had a successful fair booth and received funding approval for SW School District solar panels. They are also interested in attending library remodel meetings
4. Council Member Craig Cyr
- a. Citizens have shared concerns about the design of the library remodel.
 - b. The Whidbey and Camano Island Tourism Board is not compliant with the Open Public Meetings Act although their operating bi-laws state they must be compliant.
 - c. Island Transit will be putting solar panels on the bus barn
 - d. Shared appreciation for the city staff
 - e. Cyr family has moved but will be able to stay a council member as he will be living in Langley 50% of the time
5. Council Member Gail Fleming
- a. Echo gratitude to the staff
 - b. POS canceled August meeting
 - c. Could not attend recent Historic Preservation Committee meeting

ADJOURNMENT- 7:57pm Mayor Scott Chaplin

Council Meeting Minutes
Monday, September 19, 2022

Meeting was called to order by Mayor Scott Chaplin at 5:30pm

Land Acknowledgement

ROLL CALL

In attendance: Council Member Harolynne Bobis, Council Member Rhonda Salerno, Council Member Thomas Gill, Council Member Craig Cyr, Council Member Gail Fleming, Meredith Penny Director of Community Planning, Randi Perry Director of Public Works, Tavier Wasser Chief of Police, and Darlene Baldwin Interim City Clerk

APPROVAL OF CONSENT AGENDA

Motion to Approve Consent Agenda

Motion: Council Member Craig Cyr

2nd: Council Member Harolynne Bobis

Motion passed unanimously.

APPROVAL OF AGENDA

Motion to Approve Agenda

Motion: Council Member Rhonda Salerno

2nd: Council Member Thomas Gill

Discussion:

Mayor Scott Chaplin-Have Mike Kenyon speak after approval of Agenda

Council Member Rhonda Salerno- move to Mark Wahl to #1 and Coyla Shepard #3 under Presentations

Motion Passed unanimously with amendments

APPROVAL OF MINUTES

Motion to Approve Minutes of 06-06/2022

Motion: Council Member Thomas Gill

2nd: Council Member Gail Fleming

Motion passed unanimously

Update on Coles Valley PUD Application- Meredith Penny, Planning Director & Mike Kenyon, Kenyon Disend Law Firm

Preliminary indication of staff's determination of whether the Coles Valley Application is complete or incomplete. Opportunity for staff and Council to talk about any Ex Parte communication that might have occurred during today's earlier Special Meeting because it was an onsite tour.

1. Council Member Craig Cyr-had a brief conversation walking along the trail with a member of the public who expressed concern about the project and its huge scale. Replied, “yes, it is a huge scale”. Maybe a 10 second conversation.
2. Council Member Harolynne Bobis-had a brief conversation with a woman who lives at Talking Circle. I heard that there was a pathway from the Coles Valley site to Talking Circle so I asked her if she could show me the pathway. Her reply was, “no”, they do not want the pathway advertised. Also made the comment that I could ask the attorneys, which is wrong. It was a couple seconds long and did not get into details.
3. Council Member Rhonda Salerno-had people talking to her and answered with unable to answer any questions

Mike Kenyon, City Attorney-Important, that each time this is on your agenda, you make those same disclosures.

The question was called to the audience, “ask right now, to the extent there are members of the audience either at City Hall or watching via Zoom. Does anybody in the audience have reason or basis to object to the continued participation of Council Members; Cyr, Bobis or Salerno based on what they said?

Interim City Clerk Darlene Baldwin-there are no hands up currently via zoom. No hand up in City Hall Council Chambers

Meredith Penny, Planning Director-Will not be taking public comments tonight because discussion will take place during Public Hearing. Invitations to attend will be mailed out to property owners within 500 feet of the property.

Mike Kenyon, City Attorney

“Do any of you stand to gain or lose financially by virtue of your participation on this matter and your ultimate vote of the PUD Ordinance? Answer audibly yes if you do.

No Response

“Do any of you have any interest in the property that is the subject of the PUD application? Do you own it? Do you have a lease? Do you have an easement? Answer audibly yes if you do.

No Response

Mike Kenyon, City Attorney- We are good to continue

Meredith Penny, Planning Director-staff will review the materials once the application is deemed complete and compare materials to the code.

Mike Kenyon, City Attorney-The PUD application must satisfy the review criteria in the PUD code. Questions can be answered purely on process and refer to code. Non process questions will be answered in a public forum that will be part of the Hearing Examiner's Open Record Hearing and decision-making process.

PUBLIC COMMENT PERIOD

Nancy Rowan- A couple of weeks ago when it was around midnight someone rang my doorbell. I asked who it was, the answer was the police. It was Officer Nicholas Hathaway, and he noticed my door was open and lights were on (it was a warm night) and he was concerned and stopped to make sure I was ok. That was the sweetest and most respectful gesture I could ever ask of our police department. Since the hire of Police Chief Wasser, I am seeing the police officers out and about more in the community and it is appreciated

PRESENTATION/GUEST SPEAKER/COMMISSION REPORTS

1. Presentation on PSE Smart Meters -Mark Wahl, Clear Whidbey
Langley residents will receive a mailer from PSE stating there is going to be an upgrade. Installing Smart Meters represents a major change. Residents will have the option to opt out. The fee to opt out will be \$7.50 a month. Details can be found on PSE's website
2. Presentation to Council from Langley Chamber-Inge Morascini, Executive Director
Langley Chamber of Commerce
Chamber was incorporated in 1976 and we currently operate a Visitor Center in the town of Langley and on the highway at 525 and Langley Road. Visitors are staying in short-term rentals and businesses are busier than they have been in the past. Discussed events held in the past and upcoming events. (Shared a Power Point in Council Packet)
3. Potential new city park- Coyla Shepard of the Tiny House Project
There is a corner property for sale that borders Camano Avenue and Edgecliff
4. Dismantling Systemic Racism Self-Learning Program introduction and invitation-
Barbara Schaetti and Kennedy Horstman, DSR Commission Members
Self-Learning Program focused on city leadership was part of 2022 work plan and established to give a shared understanding and vocabulary necessary for informed discussion and decision making around issues of racism

MAYOR'S REPORT

1. The city will soon have an Owl 3 for our meetings which has microphone cameras which will help with meetings
2. Attended Chamber meeting where affordable housing was discussed. There are 7 families with school-aged children living in their cars. EDU is discussing Regenerative tourism
3. The city is facing another lawsuit, we have 20 days to respond. Will be having an emergency meeting to discuss
4. Making progress with financials with new hire
5. Made the suggestion of having a meeting a week to have more time to discuss topics

NEW BUSINESS

1. Island county Hydrogeologist letter request-Randi Perry, Director of Public Works
Motion to Approve the Mayor sending the letter to the commissioners regarding hydrogeologist
Motion: Council Member Thomas Gill
2nd Council Member Gail Fleming
Motion passed unanimously.

UNFINISHED BUSINESS

1. Revisit of Port of South Whidbey Fairgrounds Rezoning request- Meredith Penny, Planning Director & Council Member Craig Cyr
Motion to Rescind the vote from the Special Council meeting of September 16th

Motion to direct Director Penny to go forward with hiring Bridget Reynolds to work on the Fairgrounds Overlay amendment to allow Workforce Housing zoning change

Motion: Council Member Rhonda Salerno
2nd Council Member Harolynne Bobis

Amendment to Motion direct the city to investigate affordable housing at the fairgrounds and the changes that need to be made

Motion: Council Member Thomas Gill
2nd Council Member

Did Not Pass, there was No Second

**Motion passed with 4 in Favor and one Nay
Nay-Council Member Thomas Gill**

DISCUSSION

1. Hotel/Motel Tax Fund Use-Council Member Craig Cyr
Does the city want an oversight Lodging Tax Advisory Commission? Council Member Craig Cyr will meet with the Finance and Personnel Legislative Commission and bring some proposals back to council.
2. Update on Library remodel presentation- Council Member Harolynne Bobis
The library wants to make some changes to the building that the city owns and maintains. Met with Vicky Welfare and Chy Ross to discuss the storage in the basement and digitizing records and what funds would be used to do this work. Further discussion is needed

3. Discussion on Public Disturbance Noise Ordinance 8.10 – Mayor Scott Chaplin
Needs further discussion
4. Discussion on procedures- Council Member Rhonda Salerno
Would like to see a more focused agendas, too many agenda items are included.
Council Member Craig Cyr-Agenda items need to be policy focused.
Council Member Thomas Gill-Council is supposed to be getting financial reports at least once a month
Council Member Harolynne Bobis-appreciates the time checks on presentations
Council Member Gail Fleming-the council packet has the power points and presentations, presenters do not need to read their whole report, more focus on staying within time allocated is needed

STAFF REPORTS

- 1. Meredith Penny, Planning Director**
 - a. Continuing work on Housing Action Plan. Survey closing September 26th
 - b. Critical areas update. Consultants have produced a draft report
 - c. Wireless code was adopted
 - d. Connecting Housing to Infrastructure Program (CHIP) Grant
 - e. Washington State Department of Commerce will present the Governor’s Smart Community Award at the October 17th council meeting
 - f. Update on Permit Applications
 - g. Anticipated Land Use Applications
- 2. Randi Perry, Public Works Director**
 - a. City Hall foundation work complete.
 - b. Scheduling interviews to replace Joe Wierzbowski
 - c. The rain garden work has been completed
 - d. Working on asset management
 - e. Working on budget for next year
 - f. Infrastructure projects underway
- 3. Tavier Wasser Police Chief**
 - a. Attended weeklong management class
 - b. Developed a budget plan
 - c. Evidence and records management contractors coming in next week
 - d. ALERT Program is not active currently

COUNCIL REPORTS

Council Member Gail Fleming- excused from attending earlier Special Council meeting
Council agreed to skip Council Reports

ADJOURNMENT- 9:16pm Mayor Scott Chaplin

LANGLEY CITY COUNCIL

JUNE 20, 2023



HOUSING ACTION PLAN



PROCESS SUMMARY

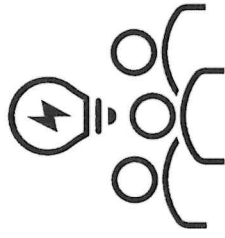
- Grant from the Washington State Department of Commerce, funded through House Bill 1923, to create a Housing Action Plan (HAP) and implement an item from that plan
- Strategies and actions to encourage greater housing diversity, affordability, and access to opportunity for residents of all income levels
 - Three phases of outreach:
 - I. Introduction;
 - II. Needs Assessment and Survey Results; and
 - III. Housing Action Plan and Implementation Item





PROCESS SUMMARY

- Included formation of focus groups:
 - businesses;
 - government entities;
 - community organizations;
 - affordable housing developers;
 - market rate developers, contractors, architects, and consultants;
 - realtors, brokers, and lenders;
 - environment and sustainability; and
 - community members and those experiencing housing instability.

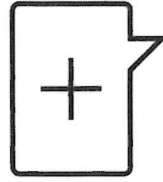


- In total, focus groups consisted of about 45 participants



PROCESS SUMMARY

- Each outreach phase included meetings with the Planning Advisory Board, community meetings, and meetings with focus groups, while Phase II included a housing survey.
- Over the course of the three phases, eleven meetings were held with the Planning Advisory Board, two community meetings, eighteen focus group meetings, and five council member interviews.
- In total, 440 comments from interviews, community, and focus group meetings, 443 survey responses, and 35 email submissions were received.





PROCESS SUMMARY

- Process included:
 - Housing Needs Analysis
 - Housing Survey
 - Inclusionary Zoning Analysis Memorandum
 - Ordinance to establish Emergency, Transitional, and Supportive Housing (implementation item)

- SEPA Determination of Non-Significance issued May 4, 2023, with 14-day public comment period - no comments received



HAP IMPLEMENTATION PLAN

Priorities in the Short Term: 1-2 years

| Action | Who | Staff Resources | Costs |
|--|--|-----------------|-------|
| 1.3 Coordinate with Other Public Agencies to Identify Publicly Owned Land in Langley Suitable for Housing Development | City Administrator, City Council, Community Planning, School District, Port of South Whidbey, other agencies | Intensive | \$ |
| 2.2 Analyze Impacts of Offering Deferrals or Waivers on Permit Fees for Income-Restricted Affordable Housing Development | Community Planning, Finance Director | Minimal | \$ |
| 3.2 Monitor Neighborhoods Potentially at Risk for Displacement | Community Planning | Intensive | \$\$ |
| 3.4 Analyze Utility Usage to Track Second Homes | Community Planning, Public Works, Clerk Treasurer's Office | Intensive | \$\$ |



HAP IMPLEMENTATION PLAN

Priorities in the Short-Medium Term: 2-3 years

| Action | Who | Staff Resources | Costs |
|---|---|-----------------|-------|
| 1.1 Identify Public-Private Partnerships to Support Housing Development | City Manager, PAB, City Council, Community Planning Staff | Moderate | \$ |
| 3.5 Conduct Targeted Outreach to Property Owners Whose Homes Remain Vacant for Extended Periods of Time | Community Planning and Building | Moderate | \$ |



HAP IMPLEMENTATION PLAN

Priorities in the Medium Term: 3-4 years

| Action | Who | Staff Resources | Costs |
|---|--|-----------------|--------|
| 1.2 Conduct a More Robust Buildable Lands Analysis to Validate Current Availability of Land for Housing Development | Community Planning Staff | Moderate | \$\$ |
| 2.3 Consider Amendments to the City's Innovative Affordable Housing Project program to better incentivize participation | Community Planning, PAB | Moderate | \$ |
| 2.4 Consider an Affordable Housing Property Tax Levy | Finance Director, City Administrator, City Council | Intensive | \$\$\$ |
| 2.5 Deem Cooperative Housing Models Eligible for Income-Restricted Housing Programs or Incentives | Community Planning, Finance Director, City Council | Minimal | \$\$ |



HAP IMPLEMENTATION PLAN

Continued... Priorities in the Medium Term: 3-4 years

| Action | Who | Staff Resources | Costs |
|---|---|-----------------|-------|
| 3.1 Track the Supply of Regulated Affordable Housing and Engage with Current Operators to Support Continued Affordability | Community Planning | Intensive | \$\$ |
| 3.3 Distribute Informational Resources on Tenant Right Education Programs | Community Planning, Clerk Treasurer's Office | Minimal | \$ |



HAP IMPLEMENTATION PLAN

Priorities in the Long Term: 5 years

| Action | Who | Staff Resources | Costs |
|---|---------------------------------------|-----------------|-------|
| 1.4 Align Capital Investments in Infrastructure to Support Future Housing Development | Community Planning, Public Works | Minimal | \$\$ |
| 2.1 Evaluate the Feasibility of Adopting an MFTE Program | Community Planning, PAB, City Council | Minimal | \$\$ |



HAP IMPLEMENTATION PLAN

Ongoing (Next Agenda Item)

| Action | Who | Staff Resources | Costs |
|---|-------------------------|-----------------|-------|
| <i>4.1 Adopt Code Amendments That Accommodate Supportive and Transitional Housing, and Emergency Shelters</i> | Community Planning, PAB | Minimal | \$\$ |



*The
City of*

LANGLEY

— WHIDBEY ISLAND —

CITY OF LANGLEY

PO Box 366
112 Second Street
Langley WA 98260
360.221.4246



City of Langley

Planning Department

To: The Langley City Council

From: Meredith Penny, Community Planning Director

Meeting Date: June 20, 2023

Subject: Proposed code changes to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with RCW 35.21.683

The Planning Department received a grant award from the Washington State Department of Commerce for \$65,625 to adopt a new Housing Action Plan and to implement some of the strategies from that plan. As part of one implementation item, the City's consultants, ECONorthwest presented the results of their inclusionary zoning analysis for grant Objective #2 to the PAB, at their March 1st meeting. Based on the results of their analysis, ECONorthwest recommended the city not convert the entire Multifamily Infill (MFI) code into an inclusionary zoning program but did recommend some adjustments to the existing incentives to increase the likelihood of their use. In their discussions, the PAB recommended staff not attempt to address the MFI code as a part of this grant project due to time constraints.

The PAB have drafted an executive summary of their takeaways from the analysis and will be presenting it to Council at their July 3rd meeting. As a substitute action in place of grant Objective #2, staff recommended an ordinance to comply with HB 1220, allowing for emergency, transitional, and supportive housing. PAB concurred with this substitution and on June 7th they held a public hearing and approved a recommendation to Council on the proposed code changes.

Background

To help address homelessness and affordable housing, E2SHB 1220 was signed into law in 2021 and is meant to encourage cities (both code and non-code cities, but not counties) to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations.

RCW 35.21.689, which was adopted in 2019, states that "a city may not prohibit permanent supportive housing in areas where multifamily housing is permitted." E2SHB 1220 now adds "transitional housing" to this prohibition and extends the geographic scope as follows:

A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.

E2SHB 1220 also includes the following provisions:

Effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.

Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety.

Langley's current ordinance is silent on such uses. The proposed draft ordinance provides for a new definition of "supportive housing facilities" to encompass the four new uses of emergency housing, emergency shelters, permanent supportive housing, and transitional housing. In addition, the ordinance creates a new land use category which helps to combine code provisions for existing uses such as adult family homes, group homes, and foster homes. These types of uses are similar in scale and intensity of single-family homes. State law preempts local jurisdictions from regulating community residential facilities more stringently than single family homes.

LANGLEY CITY COUNCIL

JUNE 20, 2023



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

- Implementation Item of HAPI Grant
- E2SHB 1220 was signed into law in 2021
 - A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed
 - A city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed
 - Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety.
- RCW 36.130.020 also considered when drafting ordinance provisions:
 - A city, county, or other local governmental entity or agency may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Definitions – Per RCW 36.70A.030

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or occupancy agreement.

“Emergency shelter” means an indoor facility that provides a temporary shelter for individuals or families who are currently homeless. ***Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day cooling and warming centers that do not provide overnight accommodations.***

Example: The Haven – Whidbey Homeless Coalition



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Definitions – Per RCW 36.70A.030

“Permanent supportive housing” means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident’s health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW. (*Residential Landlord-Tenant Act*)

Example: Proposed Cama Flats in Oak Harbor. **Existing example:** HopeWorks Station II in Everett



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Definitions – Per RCW 36.70A.030

“Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has its purpose facilitating the movement of homeless persons and families into independent living.

Example: House of Hope – Whidbey Homeless Coalition



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Under a Single Category

“Supportive housing facilities” means a collective term for the following housing types, emergency housing, emergency shelters, permanent supportive housing, permanent supportive housing small scale, transitional housing, transitional housing small scale as defined in LMC 18.01.040.



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

New Category to Combine Several Existing Housing Types

“Community residential facility (CRF)” means publicly or privately operated residential facilities, limited to adult family homes; foster homes; group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims.

CRF Example: Marjie’s House - CADA



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

| Housing Type | Supportive Housing Facilities | Community Residential Facilities |
|--|-------------------------------|----------------------------------|
| Emergency Housing | ✓ | |
| Emergency Shelter | ✓ | |
| Permanent Supportive Housing | ✓ | |
| Transitional Housing | ✓ | |
| Adult Family Homes | | ✓ |
| Foster Homes | | ✓ |
| Group Homes | | ✓ |
| Shelters for Domestic Violence Victims | | ✓ |



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

| Housing Types | CB | NB | P-I | RM | RS5000 | RS7200 | RSI5000 | NB Retail Overlay | PUD-L | PUD-M | PUD-H |
|----------------------------------|----|----|-----|----|--------|--------|---------|-------------------|-------|-------|-------|
| Emergency Housing | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Emergency Shelter | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Permanent Supportive Housing | P | P | X | P | P | P | P | X | P | P | P |
| Transitional Housing | P | P | X | X* | P | P | P | X | P | P | P |
| Community Residential Facilities | P | P | X | P | P | P | P | X | P | P | P |

CU = Conditional Use
S = Secondary Use
X = Prohibited

CB = Central Business
NB = Neighborhood Business
P-I = Public Use
RM = Residential Mixed

RS5000 = Residential Single Family Min. Lot Size 5,000sqft
RS7200 = Residential Single Family Min. Lot Size 7,200sqft
RSI5000 = Residential Single Family Min. Lot Size 15,000sqft

PUD-L = Planned Unit Development, Low Intensity
PUD-M = Planned Unit Development, Medium Intensity
PUD-H = Planned Unit Development, High Intensity

*Corrected 6/16/2023 needed here to change from X to P



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Ordinance Includes Standards for...

- Parking
- Occupancy
- Building Type
- Design Review
- Site and Transit
- Operations
- Facility Services
- Density

Basic premise is that:

- Community residential facilities are regulated similarly to single family homes or duplexes.
- Supportive and transitional housing are regulated similarly to multifamily housing.
- Emergency housing and shelters are regulated similarly to hotels/motels.*

* Some additional standards may be applied to emergency housing and shelters due to potential impacts from the unregulated demand for service.



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Amendments Needed as Part of Motion, “Move to approve as amended...”

- **LMC 18.09.010:** List transitional housing as permitted in the RM zone

| Housing Types | CB | NB | P-I | RM | RS5000 | RS7200 | RSI5000 | NB Retail Overlay | PUD-L | PUD-M | PUD-H |
|----------------------------------|----|----|-----|-----------------|--------|--------|---------|-------------------|-------|-------|-------|
| Emergency Housing | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Emergency Shelter | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Permanent Supportive Housing | P | P | X | P | P | P | P | X | P | P | P |
| Transitional Housing | P | P | X | X -P | P | P | P | X | P | P | P |
| Community Residential Facilities | P | P | X | P | P | P | P | X | P | P | P |



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Amendments Needed as Part of Motion, “Move to approve as amended...”

- **LMC 18.25A.020.A.2:** correct the referenced permit process

Specific needs of each facility will be reviewed through the ~~conditional-use-site plan review or certificate of zoning compliance permit process in LMC 18.28 of LMC 18.27~~. The decision maker may relax one or more of the standards in this subsection, only when the applicant submits a description of the standard to be modified and demonstrates how the modification would result in a safe facility with minimal negative impact to the host community under the specific circumstances of the application. In considering whether the modification should be granted, the decision maker shall first consider the effects on the health and safety of facility residents and the neighboring communities. Modifications will not be granted if the adverse impact on residents of the facility and/or neighboring communities will be greater than without such modification. The burden of proof is on the applicant.



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Amendments Needed as Part of Motion, “Move to approve as amended...”

- **LMC 18.25A.020.C.2-6:** Move to 18.25A.030.B (requirements specific to emergency housing and shelters) and renumber to items 11-15

C. Facility Operations

...

2. The possession or use of illegal drugs at an emergency housing or shelter facility or the property occupied by the facility is prohibited.

3. The sponsor or managing agency must provide an operation plan at the time of application that adequately addresses the following elements:

...

4. Sponsors or managing agencies shall demonstrate applicable experience providing similar services to people experiencing homelessness:

5. Sponsors or managing agencies shall demonstrate a stable funding source for the facility and any on-site or off-site human and social services offered as part of the operations plan.

6. The organization managing and operating the facility must develop coordination plans with the Police and Fire Departments including protocols for response to the facility and to facility residents throughout the City.



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Amendments Needed as Part of Motion, “Move to approve as amended...”

- **LMC 18.25A.020.C.2-6 continued: Move to 18.25A.030.B** (requirements specific to emergency housing and shelters) and renumber to items 11-15

B. Facility Operations

...

10. If facility operations result in a significant increase in the need for local law enforcement service, the organization managing and operating the facility will coordinate with the City on ways to address the increased need for services.

11. The possession or use of illegal drugs at an emergency housing or shelter facility or the property occupied by the facility is prohibited.

12. The sponsor or managing agency must provide an operation plan at the time of application that adequately addresses the following elements:

...

13. Sponsors or managing agencies shall demonstrate applicable experience providing similar services to people experiencing homelessness.

14. Sponsors or managing agencies shall demonstrate a stable funding source for the facility and any on-site or off-site human and social services offered as part of the operations plan.

15. The organization managing and operating the facility must develop coordination plans with the Police and Fire Departments including



EMERGENCY, TRANSITIONAL, SUPPORTIVE HOUSING

Amendments Needed as Part of Motion, “Move to approve as amended...”

- **LMC 18.25A.040.A.2:** add clarification for facilities using LMC 18.13, MFI code

In addition to the requirements under LMC 18.25.020, supportive and transitional housing shall comply with the following requirements.

A. Facility Standards.

1. The total number of dwelling units for a facility shall be subject to the density standards of residential uses allowed in the zone where the facility is located.
2. The multi-family housing performance standards of Chapter 18.25 LMC shall apply to all facilities with more than three (3) dwelling units, except for those facilities built in accordance with the standards of LMC 18.13, Multifamily Infill Form-Based Code Overlay.



*The
City of*

LANGLEY

— WHIDBEY ISLAND —

CITY OF LANGLEY

PO Box 366
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**LANGLEY CITY COUNCIL
RESOLUTION NUMBER _____**

**A RESOLUTION OF THE LANGLEY CITY COUNCIL ADOPTING THE CITY
OF LANGLEY HOUSING ACTION PLAN**

WHEREAS, the Washington State Growth Management Act (“GMA”) establishes the following housing goal to guide development and adoption of comprehensive plans and development regulations for cities planning under the GMA, “plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock”; and

WHEREAS, the Washington State Legislature passed ESHB 1923 in 2019 to increase urban residential building capacity and provide additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes; and

WHEREAS, ESHB 1923 established RCW 36.70A.600 which outlines the following items that a housing action plan should address:

- a. Quantify existing and projected housing needs for all income levels, including extremely low-income households, with documentation of housing and household characteristics, and cost-burdened households;
- b. Develop strategies to increase the supply of housing, and variety of housing types, needed to serve the housing needs identified;
- c. Analyze population and employment trends, with documentation of projections;
- d. Consider strategies to minimize displacement of low-income residents resulting from redevelopment;
- e. Review and evaluate the current housing element adopted pursuant to RCW 36.70A.070, including an evaluation of success in attaining planned housing types and units, achievement of goals and policies, and implementation of the schedule of programs and actions;
- f. Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups; and
- g. Include a schedule of programs and actions to implement the recommendations of the housing action plan.; and

WHEREAS, ESHB 1923 also provided Washington State funding to assist communities in achieving the objectives of this Bill; and

WHEREAS, in October of 2021, City staff submitted a grant application to the Washington State Department of Commerce for a Housing Action Plan and Implementation Grant; and

WHEREAS, the grant application included a letter of commitment from the Langley Mayor, and letters of support from the Langley Chamber of Commerce, Island County

Habitat of Humanity, Heritage Bank, Island Transit, Keller Williams, Island County, and the Port of South Whidbey; and

WHEREAS, the City received an award letter from the Washington State Department of Commerce on October 28, 2021 awarding the City a grant for \$65,625 to prepare a Housing Action Plan and implement two items from that plan in accordance with ESHB 1923; and

WHEREAS, after Council approval on December 20, 2021, a contract between the City of Langley and the Washington State Department of Commerce was executed on January 11, 2022; and

WHEREAS, on December 6, 2021, a Professional Services Agreement was executed between the City of Langley and Compass Rose Planning Services Ltd to assist in the development of a public engagement plan and analysis of the public engagement results; and

WHEREAS, on April 28, 2022, a Professional Services Agreement was executed between the City of Langley and ECONorthwest, a Washington Corporation to assist in the preparation of the Housing Action Plan; and

WHEREAS, On May 20, 2022, the City finalized a public participation plan which provided for four phases of outreach, outreach methods, and relevant parties to contact about the project; and

WHEREAS, during the project, the outreach phases were condensed from four to three phases: I. Introduction; II. Needs Assessment and Survey Results; and III. Housing Action Plan and Implementation Item; and

WHEREAS, additionally during the project, the original two implementation items were reevaluated; with funding for the SEPA thresholds item reallocated to further analysis of the housing survey results and the inclusionary zoning ordinance replaced by an ordinance to establish emergency, transitional, and supportive housing land uses; and

WHEREAS, project outreach included the formation of focus groups based around community sectors and included: businesses; government entities; community organizations; affordable housing developers; market rate developers, contractors, architects, and consultants; realtors, brokers, and lenders; environment and sustainability; and community members and those experiencing housing instability; in total, focus groups consisted of about 45 participants; and

WHEREAS, each outreach phase included meetings with the Planning Advisory Board, community meetings, and meetings with focus groups, while Phase II included a housing survey; and

WHEREAS, Over the course of the three phases, eleven meetings were held with the Planning Advisory Board, two community meetings, eighteen focus group meetings, and five council member interviews; and

WHEREAS, in total, 440 comments from interviews, community, and focus group meetings, 443 survey responses, and 35 email submissions were received; and

WHEREAS, Outreach summary reports were created for each of the three outreach phases as well as a final engagement report; and

WHEREAS, a Housing Needs Analysis and Inclusionary Zoning Analysis Memorandum were produced to support the development of the Housing Action Plan; and

WHEREAS, a SEPA Determination of Non-Significance for the Housing Action Plan was issued on May 4, 2023, with a 14-day public comment period in which no comments were received; and

WHEREAS, the Housing Action Plan does not require separate review by the Washington State Department of Commerce, but rather will be reviewed by the agency under the grant requirements; and

WHEREAS, the City of Langley's adopted Housing Element of the Comprehensive Plan provides for the following goals to guide housing development in the City:

- a. H-1: Work to provide a mix of housing in Langley and facilitate residential development in the form of single-family homes, duplexes, condominiums, apartments, townhouses, tiny homes, ADU's, housing that allows people to age in place, and other innovative forms of housing;
- b. H-2: Seek opportunities to ensure that various types and densities of housing are permitted in sufficient numbers to meet projected housing needs, while maintaining the character of existing neighborhoods;
- c. H-3: Encourage new subdivisions and neighborhoods that are designed to be pedestrian oriented and maintain a development pattern consistent with promoting a sense of community and safety;
- d. H-4: Enable the opportunity for affordable housing for a diversity of residents within the city of Langley;
- e. H-5: Work with Island County and other appropriate agencies to increase opportunities for residents with special housing needs;
- f. H-6: Encourage the development of housing and neighborhoods that reduces consumption of water, energy and other resources and are less impactful on the natural environment; and
- g. H-7: Encourage the creation of mixed-use neighborhoods that integrate a mix of housing types, densities, including affordable housing units, limited commercial services, and access to recreation; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Langley, Washington that the City of Langley Housing Action Plan attached hereto as Exhibit A is adopted and approved along with the Planning Advisory Board's Findings of Fact and Recommendation attached hereto as Exhibit B, as its own findings and conclusions pertaining to these issues.

PASSED by the City Council of the City of Langley and **APPROVED** by the Mayor this _____ day of June 2023.

Scott Chaplin, Mayor

Darlene Baldwin, Interim City Clerk

Exhibit A
City of Langley Housing Action Plan and Appendices

City of Langley

Housing Action Plan

May 2023

Prepared for: City of Langley

Final Report



City of
Langley Washington

ECONorthwest

ECONOMICS • FINANCE • PLANNING

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Acknowledgements

ECONorthwest prepared this report for the City of Langley. ECONorthwest and the City of Langley thank those who helped develop the Housing Action Plan.

Planning Advisory Board

- Greg Easton (Chair)
- Casey Gloster
- Basil Hassoun
- Maureen Freehill
- David Smith
- Mary Mitchell (past PAB member)
- Deana Duncan (past PAB member)
- Rose Hughes (past PAB member)

City Council

- Harolynne Bobis
- Rhonda Salerno
- Thomas Gill
- Craig Cyr
- Gail Fleming

Client

- City of Langley: Meredith Penny, Planning Director

Consulting Team (ECONorthwest)

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- Lee Ann Ryan, Project Manager
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Table of Contents

| | |
|--|----|
| 1. HOUSING ACTION PLAN CONTEXT..... | 1 |
| 2. HOUSING NEEDS ASSESSMENT KEY FINDINGS | 3 |
| 3. LANGLEY’S HOUSING DEVELOPMENT BARRIERS..... | 6 |
| 4. HOUSING ACTION PLAN GOALS AND STRATEGIES..... | 7 |
| 5. IMPLEMENTATION PLAN..... | 38 |
| APPENDIX A: HOUSING NEEDS ASSESSMENT | 42 |
| APPENDIX B: RECOMMENDATIONS FOR FUTURE ACTIONS | 81 |
| APPENDIX C: SUMMARY OF COMMUNITY ENGAGEMENT | 92 |
| APPENDIX D: INCLUSIONARY ZONING ANALYSIS..... | 95 |

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1. Housing Action Plan Context

The City of Langley received a grant from the Washington State Department of Commerce, funded through House Bill 1923, to create a Housing Action Plan (HAP) aimed at identifying ways to meet the City's current and future housing needs.

HAPs address local housing needs through strategies and actions to encourage greater housing diversity, affordability, and access to opportunity for residents of all income levels. Langley's HAP project provides a strong foundation for revising policies and implementing strategies within the City's Comprehensive Plan Housing and Land Use Elements, along with other strategic planning efforts.

The HAP project was conducted from 2022 to 2023 to meet the current Washington State Department of Commerce House Bill 1923 grant deadline of June 30, 2023. As outlined below, the approach for developing the HAP begins with a Housing Needs Assessment (HNA), which provides a demographic and housing market analysis to evaluate current and projected housing needs. Another crucial part of the action plan development process is to involve community members and learn about their experiences and insights on housing needs. The findings from these initial steps informed the final strategy development.

Housing Action Plan Core Components

Housing Needs Assessment

Gain a deep understanding of the housing market dynamics, unmet housing needs, and housing projections. Build a multifaceted comprehension of housing market dynamics, existing regulatory influences, and housing needs of today and for the next 20 years.

Community Engagement

Inclusively involve and educate Langley stakeholders on housing challenges and decisions. Deepen our understanding by gaining stories and insights on housing experiences, challenges, and opportunities.

Strategy Development

Develop and evaluate strategies, informed by data, engagement, and priorities.

Housing Action Plan and Implementation Plan

Refine strategies and deliver a Housing Action Plan designed to meet the housing needs. Identify metrics to monitor the plan.

Housing Action Plan Process

Housing Needs Assessment (HNA)

An initial step for developing actions is to identify and define the range of housing needs by analyzing the best available data describing Langley's housing stock, workforce, household demographics, housing market dynamics, and expected housing demand. The insights from this analysis help to build a factual basis for the HAP strategies.

The HNA answers questions about the current availability of different housing types, who lives and works in Langley, and what range of housing is required to meet current and future housing needs. This report includes a summary of the overall findings and key insights associated with the comprehensive analysis of housing needs and existing conditions.

Community Engagement

Meredith Penny, Langley's Director of Community Planning, worked with the Planning Advisory Board (PAB) on using various methods to consult with and receive input from community members and a wide range of stakeholders over the course of the project. A Public Participation Plan was prepared to guide these activities.

The various methods included virtual community meetings, focus group discussions, key person interviews, and a community survey. The project was also the subject of discussion at numerous PAB meetings over the course of the project. The public participation was structured over three phases, beginning in June 2022 and ending in March 2023. A report for each phase was prepared summarizing the results of that phase. Summary reports can be found [here](#) on the City's website. Langley staff prepared a summary of community engagement, which can be found in Appendix C.

Strategy Development

Building on the HNA and community engagement, our team prepared an initial draft of recommendations through an iterative process with the city. Through this work, we evaluated preliminary suggestions to bridge the gap in housing needs and pathways for the City to integrate efforts into its comprehensive plan. This review includes:

- Potential advantages and drawbacks
- Partnerships and the role of the City
- Examples/best practices
- Implementation considerations

Housing Action Plan and Implementation Plan

Utilizing the data that our team gathered and analyzed in the HNA and community engagement results, we created strategy recommendations to address the housing needs

specific to Langley. These were informed by community and staff input to identify the most appropriate and highest-impact solutions to Langley. After an iterative process of refining these potential strategies, the team created an implementation plan with goals and actionable steps for the City.

Langley's Previous Housing Work

Langley's Housing Action Plan is also guided by the City's recent housing related work which includes:

- Housing Survey distributed through utility bills used to inform the 2018 Comprehensive Plan Update
- 2018 Langley Housing Element
- 2021 Affordable Housing Challenges Report prepared by the Planning Advisory Board and the Affordable Housing Working Group

Other notable housing efforts include:

- 2019 code amendments that increased allowances for duplexes, ADUs, and tiny homes
- Multifamily Infill Code
- Waivers of utility participation fees and connection charges for affordable housing developments

A full summary of this work can be found in the HNA located in Appendix A.

2. Housing Needs Assessment Key Findings

An initial step for developing the HAP is to identify and define the range of housing needs by analyzing the best available data describing Langley's household demographics, housing stock, housing market dynamics, and expected need. Langley's Housing Needs Assessment (HNA) answers questions about the availability of different housing types, who lives and works in Langley, and what range of housing is needed to meet current and future needs. Key findings from the HNA are provided below and the full the HNA is included in Appendix A.

Population and Household Demographics

- Langley exceeded its population estimate for 2036 and will need to adequately plan for a growing population with a diverse set of needs. Langley and Island County's population is growing faster than adopted population estimates. The Island County Comprehensive Plan's population estimation for 2036 tracks closer to the Washington Office of Financial Management's (OFM) medium projection rather than the low-medium that was adopted, causing Langley to exceed its population projection.

- **Langley's population is aging faster than the County and its population will require special housing needs.** The share of adults in Langley aged 60 and older has increased substantially from 2010 to 2020.
- **Langley has a smaller household size than the County, which will likely mean an increased demand for smaller types of housing into the future.** Langley has a higher proportion of one and two-person households than Island County overall. However, Langley saw substantial growth in two-person households and a large decrease in the number of one-person households between 2010 and 2020.
- **Langley's household income is lower than the County overall, with 40 percent of households earning less than \$50,000 annually.** This could be explained by a high number of retirees living in Langley. However, since 2010 the percent of Langley households earning greater than \$75,000 annually increased by over 100 percent, which could indicate an influx of higher-income earners.

Employment and Commuting

- **Langley's employees are unable to find housing that meet their needs within the City.** The City has documented barriers for hiring and retaining employees for local businesses due to both an unaffordable and/or unavailable housing stock. Roughly 95 percent of the jobs in the City of Langley are filled by workers commuting into the area for employment and only 27 employed Langley residents live and work within the City.
- **Given Langley's aging population, many of which are likely retired, the City will need to consider how to accommodate housing for younger working adults in order to achieve its allocated job growth.** Langley is expected to accommodate an additional 51 jobs by 2036, representing almost 17 percent of South Island County employment.

Housing Characteristics

- **Langley's housing stock lacks diversity, but less so than Island County.** A lack of diversity will contribute to the inability to adequately meet the changing housing needs of Langley's population. Whereas about 78 percent of the housing in Island County is comprised of single-family detached units, only around 67 percent of Langley's housing is single family, and 24 percent is multifamily.
- **The number of owner-occupied units in Langley grew by 12 percent.** There could be several reasons why this occurred, but it *could* indicate that some rental units have turned into ownership because of an increased demand for second homes or vacation rentals or the housing built in Langley is largely an ownership product.
- **Langley likely has a large stock of second and vacation homes, which will exacerbate affordability issues in many communities, especially small ones.** Housing vacancy shows that approximately 67 percent of vacancies in Langley are due to seasonal, recreational, or occasional use.

- **Residential development in Langley has largely decreased since 2016.** The majority of homes built have been single family, which will not adequately meet the need of renters, an aging population, or the needed workforce. However, the City has seen an increase in ADU development and the addition of a tiny home development for low-income residents.
- **Langley has one of the highest median home sale prices on Whidbey Island, which is financially unattainable for residents.** Between 2017 and 2022, the median sales price in Langley increased by approximately 60 percent. The median home sales price in Langley in 2022 is about \$600,000. A household would need to earn about 310 percent of MFI in order to afford the median sales price, which is less than 14 percent of households.
- **Nearly half of Langley residents are unable to find affordable housing options.** As a result, many households are cost burdened, spending more than 30 percent of their monthly income on housing costs. Around 41 percent of households in Langley are considered to be cost burdened to some degree. Of them, 12 percent are severely cost burdened. More so, 61 percent of renter households are cost burdened, and 21 percent of all renter households are severely cost burdened. Langley's households are more cost burdened than households in Island County and in Washington overall, especially when looking at renter households.

Housing Needs

- **Langley will need to prepare for an additional 122 housing units by 2036 to meet future demand and provide sufficient housing to accommodate unmet *existing* need.**

3. Langley's Housing Development Barriers

During the HAP process, housing barriers emerged as a recurring theme, reflected in both the analyses and community outreach summaries. Given the generally remote location of Langley on Whidbey Island, the city is experiencing severe housing challenges for many reasons, including insufficient employment opportunities, shortage of buildable land with infrastructure to support housing development, an inventory of second homes, and challenging market dynamics. Langley faces two types of housing barriers: those that hinder access to affordable housing options (as outlined in the previous section and detailed in the HNA), and those that impede housing development. Both are inherently linked, given that a lack of housing production will ultimately impact housing affordability as demand increases. This section will focus on documenting several of the housing development barriers that were uncovered during the inclusionary zoning analysis and were reflected in the community engagement results.

Langley is struggling to both attract and incentivize housing development in general. The City is struggling to *attract* development, likely because of its challenging location and lack of comparable development that could help minimize perceived risk. This creates barriers for accessing labor, materials, and adequate project financing. The City is struggling to *incentivize* development (which could help overcome the perceived risk) due to existing development regulations related to building height, density standards, and lot coverage that limit flexibility and project potential. Developing the Multifamily Infill Code (MFI) was a helpful incremental step, but as the Inclusionary Zoning Analysis shows (Appendix D), the incentives in the MFI code aren't enough to help projects overcome existing land values in most cases.

Barriers related to housing development in Langley are summarized below to provide additional context for the strategies and actions selected for the Housing Action Plan and are detailed in the following section.

- **Land Values for Infill Development:** New development projects will need to be able to pay for land, and displace the existing use, to occur. Development in Langley, including market-rate development, is largely only feasible on vacant land, given the observed land values in zones targeted for denser infill development. The existing MFI code only offers enough incentives to overcome existing *improved* land (developed land) values in very limited instances.
- **Availability of Land:** Given that the feasibility results for the MFI overlay show that development is most likely only feasible on vacant parcels, the availability of vacant land is an important factor for attracting new development in Langley. For the inclusionary zoning analysis, ECONorthwest conducted an analysis of vacant and improved land¹ in the zones included in the MFI overlay. The analysis shows that there

¹ Vacant land analysis used Island County Assessor data to determine whether a parcel was vacant or developed. It should not be considered a buildable lands analysis.

is very little vacant land in the MFI overlay representing about one-fifth or one-tenth of the land depending on the underlying zone.

- **Infrastructure availability:** The availability of infrastructure to support housing developments can be critical for development feasibility. If a development site lacks available infrastructure like water, sewer, stormwater, or roads, it can quickly become a substantial financial burden on a project. Langley has been working to expand its public infrastructure systems, but there are likely many areas (particularly vacant land where development is most feasible relative to land values) that still lack essential utilities.
- **Need for Increased Flexibility in Land Use Codes to Support More Attached Housing Development.** Housing types that are more affordable are typically smaller single-family detached units (such as small lot, small-sized single-family, cottage housing, or modular housing) and attached units like duplexes through quadplexes, town houses, and apartments. The feasibility analysis shows that increases in allowances like impervious surface coverage or additional building height could help new development overcome existing land values in certain zones. Community engagement results also demonstrate a call for more housing supply to help bring down or at least slow rising rent and sale prices, in addition to the need for greater diversity in the housing stock.

The HAP strategies and actions in the following section seek to help address these development barriers, along with those that limit a community member’s ability to obtain affordable housing options.

4. Housing Action Plan Goals and Strategies

This section describes 14 policy and program recommendations for the City to consider as Langley works toward preserving and increasing the local housing supply over the next 5 years. Each strategy describes a rationale for why it is included in the plan, a detailed description, the city’s potential role in implementation, nuanced considerations, and potential housing affordability impacts.

This matrix in Exhibit 1 provides a list of **14 actions** for consideration in the Langley Housing Action Plan. These actions fall within **four draft goals**, which are designed to address community needs identified through community engagement and the Housing Needs Assessment (HNA). Each action includes a rationale, action type, and income level served. This is a preliminary list of actions to consider, refine, revise, and evaluate. More detailed descriptions of each action can be found in the section following the action matrix.

Action Types

- **Incentives** encourage housing developers to provide desired housing types.

Proposed Goals for the HAP:

- I. Support the Development of Diverse Housing Types
- II. Support Income-Restricted Affordable Housing Development
- III. Support Housing Preservation

- **Policy Changes** may update the city's code, processes, programs, or requirements related to housing.
- **Technical Assistance** provides targeted support from city staff to partner organizations.
- **Financial Support** increases available funding for a variety of housing initiatives.
- **Partnership Building** strengthens relationships with other organizations to further the city's housing goals.
- **Research and Monitoring** may track existing conditions or emerging trends.

Housing Income Level

The qualitative designation of '**Low**,' '**Medium**,' '**High**,' or '**All**' gives a relative approximation of what household income levels will likely be served but does not include a specific threshold.

Exhibit 1: Langley Housing Action Plan – Action Summary Matrix

| Goals | # | Action | Rationale | Action Type | Household Income Level |
|---|-----|---|--|--|------------------------|
| 1. Support the Development of Diverse Housing Types | 1.1 | Identify Public-Private Partnerships to Support Housing Development | Due to the City's financial constraints, it is unlikely the City will be able to directly fund the development of housing, nor can it afford to purchase and then donate or sell land at a reduced cost to support such initiatives. Nonetheless, the City can explore the potential of forging new partnerships or strengthening existing ones to facilitate the creation of more housing options. | Research/Policy Change/Financial Support | All |
| | 1.2 | Conduct a More Robust Buildable Lands Analysis to Validate Current Availability of Land for Housing Development | The cost of redeveloping existing improved land is an impediment to the feasibility of new, denser development. Given that new development is most likely to occur on vacant land in Langley, the City can create an inventory of vacant or underdeveloped land suitable for housing development to better track how it can adequately accommodate housing needs. While the previous buildable lands analysis identified adequate land for meeting projected population and housing growth, the City is interested in conducting a more robust analysis to validate the previous findings. | Research | All |
| | 1.3 | Coordinate with Other Public Agencies to Identify Publicly Owned Land in Langley Suitable for Housing Development | Some of the largest vacant or underdeveloped sites in the City are owned by the school district and the Port of South Whidbey, which could be suitable for housing development if the sites are deemed to be surplus by the owners. The City can work with these property owners to determine if there are opportunities for partnerships and development. If so, the City could consider zoning changes to help reduce barriers and facilitate housing development. | Policy Change | All |
| | 1.4 | Align Capital Investments in Infrastructure to Support Future Housing Development | To help offset the cost of housing development, the City could set policy direction to prioritize infrastructure projects that would support housing development when updating capital improvement or infrastructure master plans. | Policy Change | All |
| 2. Support Income-Restricted Affordable Housing Development | 2.1 | Evaluate the Feasibility of Adopting an MFTE Program | The Multifamily Tax Exemption (MFTE) is a tool that cities can use to leverage private, market-rate development to expand affordable housing. It can help stimulate the construction of new, rehabilitated, or converted multifamily housing, including affordable housing, within designated areas by offering a tax exemption on the value of the eligible housing improvements. | Research/Incentive | Low-Medium |

| Goals | # | Action | Rationale | Action Type | Household Income Level |
|--|-----|---|--|--|------------------------|
| | 2.2 | Analyze Impacts of Offering Deferrals or Waivers on Permit Fees for Income-Restricted Affordable Housing Development | Reducing permit fees can help offset development costs, increasing the financial feasibility for projects operating on thin margins, especially income-restricted affordable housing development. Since the City is interested in supporting income-restricted development, reducing development costs by offering fee reductions and/or waivers and payment deferrals may lower barriers to development or incentivize affordable unit production. | Research/Incentive | Low |
| | 2.3 | Consider Amendments to the City's Innovative Affordable Housing Project Program to Better Incentivize Participation | According to LMC 18.04, the city's comprehensive plan encourages revisions to the city's development regulations to increase the supply of affordable housing. ECONW examined the existing code chapter and noted ways the City could increase flexibility for affordable housing developments and incentivize program participation. | Policy Change | Low |
| | 2.4 | Consider an Affordable Housing Property Tax Levy | Affordable housing for low-income households (below 80% MFI) often requires state or federal financing and is therefore challenging to build. A local tax levy to support this type of low-income housing is one way for the City to help directly participate in its preservation and development. | Research/Financial Support | Low |
| | 2.5 | Deem Cooperative Housing Models Eligible for Income-Restricted Housing Programs or Incentives | An option for maintaining long-term affordability of affordable homeownership units is through a housing cooperative, which is one of two legal structures available to allow resident ownership of multifamily property. The City can support cooperative housing models by deeming them eligible for city-run affordable housing programs and incentives (e.g., reduced or waived permit fees, flexible development regulations for new projects, etc.) | Financial Support/Incentive | Low-Medium |
| 3. Support Housing Preservation and Anti-Displacement Strategies | 3.1 | Track the Supply of Regulated Affordable Housing and Engage with Current Operators to Support Continued Affordability | Rising housing costs and loss of existing income-restricted housing units could displace low-income residents. Publicly available inventories for regulated affordable units are often incomplete, lack essential data points, or are out of date. Langley has a supply of regulated affordable housing, but to assist in their preservation, the city must understand how many units there are, their condition, subsidy expiration dates, and current ownership to accurately assess their vulnerability risk. | Research and Monitoring/Technical Assistance | Low |

| Goals | # | Action | Rationale | Action Type | Household Income Level |
|---|-----|---|---|---|------------------------|
| | | | With a nuanced understanding of the areas that might have the most vulnerability to physical and economic cultural displacement, the City can employ anti-displacement strategies in a geographically focused way. Many of the tenants living in unregulated affordable properties will be at risk if their building is purchased and rents rise. In addition, city-led changes in zoning allowances and infrastructure investments to allow more intense housing development can increase the chances that households vulnerable to displacement see increased displacement pressures. | Research and Monitoring | Low-medium |
| | 3.2 | Monitor Neighborhoods Potentially at Risk for Displacement | | | |
| | 3.3 | Distribute Informational Resources on Tenant Right Education Programs | Knowledge of tenant protection rights can protect renters from unfair or illegal practices by landlords or property managers. Renters also might qualify for resources if they are at risk of housing instability. | Technical Assistance | All |
| | 3.4 | Analyze Utility Usage to Track Second Homes Conduct Targeted Outreach to Property Owners Whose Homes Remain Vacant for Extended Periods of Time. | Tracking the presence of second homes can help the city to understand the need for regulations aimed at increasing the number of units available to permanent residents and workers, as second homes reduce the overall supply of housing and buildable land. The City would like to increase year-round occupancy of the existing housing stock. Many houses in Langley are vacant and not available to visitors or year-round residents. Conversations between the City and property owners may identify owner's long-term plans and short-term occupancy opportunities. More directly, the City could explore incentives or disincentives to discourage vacancies for extended periods. | Research and Monitoring Research/Policy Change | None All |
| | 3.5 | | | | |
| 4. Address Emergency, Transitional, and Supportive Housing Requirements | 4.1 | Adopt Code Amendments That Accommodate Supportive and Transitional Housing and Emergency Shelters | As part of state legislative updates, the City will need to review, refine, and add definitions in its code related to emergency shelters, transitional housing, and supportive housing. In the near term, the City should update the Land Uses table to accommodate these uses to comply with RCW 35.21.689 and new requirements under HB 1220. | Policy Change | Low |

Goal 1: Support the Development of Diverse Housing Types

Action 1.1: Identify Public-Private Partnerships to Support Housing Development

Rationale

Due to the City's financial constraints, it is unlikely the City will be able to directly fund the development of affordable housing, nor can it afford to purchase and then donate or sell land at a reduced cost to support such initiatives. Nonetheless, the city can explore the potential of forging new partnerships or strengthening existing ones to facilitate the creation of more housing options.

Description

Cities can help foster partnerships with local nonprofits, faith-based organizations, employers, and even private developers to secure more affordable housing options and expand housing choice in the community. Cities can form or engage in public-private partnerships in a number of ways:

- Partner with other public entities to identify land opportunities and work together to donate or sell the land at a discounted rate to development partners in exchange for income-restricted units or more diverse housing types that the City would like to encourage or incentivize (Action 1.4).
- Partner with employers on Whidbey Island to gauge ability and interest to provide more housing opportunities for the Island's local workforce. The City could also help connect employers and organizations who could work together to develop housing.
- Offer incentives to help increase financial feasibility for desired housing developments. This could include:
 - Increased flexibility on development standards for lots that contain critical areas or for projects that offer some type of public benefit like affordable housing or a dedicated park.
 - Offer tax abatements for a certain number of years in exchange for the developer building a certain percentage of affordable units in their development (Action 2.1).
 - Reduce or waive fees in exchange for affordability.
- Apply for grants that could help provide gap funding for affordable housing developments or prioritize infrastructure projects that could help reduce the amount of infrastructure investment needed for new projects.

Example

Coos County, Oregon

Many communities along the southern coast of Oregon have faced challenges similar to Langley. Employers report difficulty in hiring and retaining workers, so a few employers in the region have started looking for ways to house their own employees.

Bandon Dunes, a golf resort and major service industry employer, noted that they have unfilled positions and that a primary barrier to attract and retain staff is the lack of sufficient affordable housing options in the region. Bandon Dunes formed the Wild Rivers Coast Alliance, which purchased a 17-acre parcel of land in Bandon for housing. However, the site had several barriers to development, including the prevalence of wetlands (and likely costs of filling wetlands), thick gorse, and challenges related to construction such as a lack of available labor.

The Central Curry School District 1 looked into purchasing an entire apartment building to give priority to school employees, but the initiative fell through because the building was in poor condition and the up-front renovation costs were not financially feasible.

Both of these examples identify opportunities for either the City or the County to intervene to help with gap funding or allow for flexibility in development standards to ensure the project comes to fruition.

These types of partnerships have already started to form on Whidbey Island to respond to local housing shortages and affordability challenges. Cama Flats is a proposed multifamily housing development in Oak Harbor. Island County purchased a piece of land and established a human services building on it. For the remaining land, the County put out a request for proposals (RFP) specifically targeting nonprofit organizations to develop housing on the property. The housing development will be spearheaded by Shelter Resources and Opportunities Council, who will oversee the construction of 82 units of multifamily housing. The development will offer a mix of 1 to 3-bedroom units, catering to various household sizes with varying incomes. Additionally, Cama Flats will host community gathering space and an onsite park. The development aims to serve households earning 70% of the area median income (AMI) or below.

City Role

Work to identify potential partnerships and begin outreach to organizations to gauge interest and financial ability, in addition to defining a potential role for the City in the partnership.

Considerations

Defining the types of projects that partnerships should be formed around will be an important task for the City. For example, if the City would like to establish a partnership that focuses on housing for the local workforce, the City will need to define the target income range for the project and the types of occupations that might align with it (e.g., teachers, firefighters, police

officers, retail workers, etc.). The City should work to carefully define which projects are most suitable for partnerships and investments and how they might provide a public benefit.

Partnering is the most administratively efficient and cost-efficient approach to implementing this strategy. If the City (or other public agencies) are contributing land at low or no cost, then they are forgoing realizing the full value of the land if it were sold on the open market instead. If the City prioritizes infrastructure development to assist a project, it will need to identify a source of funding.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|-----------------------------------|---|-----------------|---------------------------------|
| Low to moderate-income households | Households with incomes below 120% of MFI | Renter or Owner | High |

Action 1.2: Conduct a More Robust Buildable Lands Analysis to Validate Current Availability of Land for Housing Development

Rationale

A buildable lands analysis provides a clear picture of the amount of land available for development within the City, which can help make informed decisions about zoning and land use regulations, identify opportunities for housing development, and prioritize infrastructure projects to support both.

Description

The cost of redeveloping existing improved land is an impediment to the feasibility of new, denser development. Given that new development is most likely to occur on vacant land in Langley, the City can create an inventory of vacant or underdeveloped land suitable for housing development to better track how it can adequately accommodate housing needs. While the previous buildable lands analysis identified adequate land for meeting projected population and housing growth, the City is interested in conducting a more robust analysis to validate the previous findings and look for additional opportunities.

City Role

Island County currently provides Langley with its buildable land inventory, and the latest inventory is from 2016. The City can opt to conduct a new buildable lands analysis, developing a methodology tailored to fit the City's needs.

Considerations

Conducting a buildable lands analysis will require substantial staff time. If the City lacks adequate staff capacity, they may consider hiring a consultant, but this will require additional funding.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--------|------------------|---|
| All | All | Renter and Owner | Depends on how available land is allocated or zoned |

Action 1.3: Coordinate with Other Public Agencies to Identify Publicly Owned Land in Langley Suitable for Housing Development

Rationale

The availability of land is critical to housing production, and when there is little land supply, high land prices can often make development infeasible. Members from the community have noted that there is a lack of developable land available for housing development, but that other public agencies like the school district or the County may have surplus land in their inventories that may be suitable for housing development.

Description

Some of the largest vacant or underdeveloped sites in the City are owned by the school district and the Port of South Whidbey, which could be suitable for housing development if the sites are deemed to be surplus by the owners. The City can work with these property owners to determine if there are opportunities for partnerships and development. If so, the City could consider discounting the land or zoning changes to help reduce barriers and facilitate housing development.

City Role

Initiate outreach to public agencies that own land within Langley's city limits to begin conversations about land they may have in their inventory and whether there are future plans to utilize it.

Considerations

The agencies, including the City, will also need to determine whether the land identified is developable. This may require additional studies (i.e., cultural or environmental) before initiating any necessary planning processes.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--------|------------------|---|
| All | All | Renter and Owner | Depends on how available land is allocated or zoned |

Action 1.4: Align Capital Investments in Infrastructure to Support Future Housing Development

Rationale

To help offset the cost of housing development, the City could set policy direction to prioritize infrastructure projects that would support housing development when updating capital improvement or infrastructure master plans.

Description

The availability of public infrastructure (particularly streets, water, and sewer) is critical to supporting new housing development, but it is also an important consideration for developers when evaluating development costs. A lack of available utilities and road infrastructure can increase construction costs to a point where development is rendered financially infeasible. Aligning capital investments in infrastructure to support future housing development in key areas can increase housing production.

While cities have several mechanisms available to partner with developers to fund infrastructure improvements related to housing development, the City could take a more proactive approach when updating infrastructure master plans or developing the Capital Improvement Plan (CIP). The City can adopt a policy that requires infrastructure master plans to consider and prioritize housing, especially affordable housing, when identifying and prioritizing future projects. This could help advance housing development projects on sites lacking adequate infrastructure.

City Role

The City can implement this policy through its Comprehensive Plan as an objective in the Utilities and Capital Facilities Element. If adopted as a Comprehensive Plan policy, staff can incorporate it into the upcoming Comprehensive Plan Periodic Update.

Considerations

No additional considerations at this time.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|----------------|-----------------|---------------------------------|
| All incomes | All households | Renter or Owner | Low-Moderate |

Goal 2: Support Income-Restricted Affordable Housing Development

Action 2.1: Evaluate the Feasibility of Adopting an MFTE Program

Rationale

The Multifamily Tax Exemption (MFTE) is a tool that cities can use to leverage private, market-rate development to expand affordable housing. It can help stimulate the construction of new, rehabilitated, or converted multifamily housing, including affordable housing, within designated areas by offering a tax exemption on the value of the eligible housing improvements.

Description

In 2021, the Legislature made several changes and additions to the existing MFTE program. One of the major changes included opening up program options for small cities that were not previously eligible to implement any MFTE program options. Cities who qualify under this new provision may provide the following programs:

- **12-year exemption:** To qualify for the 12-year exemption, the applicant must commit to renting or selling at least 20 percent of the multifamily housing units as affordable housing units to low and moderate-income households, the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the local government, and the area must be zoned to have an average minimum density equivalent to 15 dwelling units or more per gross acre. This opportunity is available until December 31, 2026.
- **20-year exemption:** To qualify for the 20-year exemption under this section, at least 25 percent of the units must be sold to a qualified nonprofit or local government partner that will assure permanent affordable homeownership. The remaining 75 percent of units may be rented or sold at market rates. The area must be zoned to have an average minimum density equivalent to 15 dwelling units or more per gross acre. This opportunity is available until December 31, 2031.

In order for a project to be eligible across all program options, it must provide a minimum of four new units, or in the case of occupied rehabilitation or conversion, a minimum of four additional multifamily units. The project must also be located within a designated residential target area. Land, existing improvements, and non-residential improvements are not exempt and are subject to normal property taxes.

Cities may also choose to offer a tax exemption on just the units set aside as income restricted. For example, if a city had an inclusionary zoning program requiring a certain set-aside of affordable housing, they could offer the tax exemption on just those set-aside units to either help incentivize use of a voluntary inclusionary program or to help offset impacts from a mandatory inclusionary program. In order to do so, cities will need to outline this option within their local ordinance and the project would still need to meet all required findings RCW 84.14.060 and be located within a residential targeted area.

Examples

Marysville [MMC 3.103](#) offers an 8-year and 12-year exemption program. The 12-year exemption requires a 20 percent set-aside of income-restricted units affordable to low- and moderate-income households, and in the case of ownership projects, the units set aside must be made affordable to moderate-income households.

Lake Stevens [LMC 3.27](#) offers a 12-year exemption option, requiring a 20 percent set-aside of units affordable to those earning 80 percent MFI or below. For ownership projects, set-aside units must be affordable to low- or moderate-income households.

Enumclaw [EMC 3.60](#) offers a 12-year exemption with a 20 percent set-aside requirement for both ownership and rental units. Units must be affordable to households earning less than 80 percent MFI. Ownership projects must include an agreement or other guarantee ensuring that some or all of the units within the project are used for purposes of owner occupancy.

Jurisdictions that offer the 20-year MFTE program option include Bainbridge Island, Bellingham, Renton, Shoreline, Seattle, and Tacoma. The Department of Commerce completed a case study on Port Orchard's MFTE program to include in the 2023 upcoming legislative report, which may serve as an appropriate reference for the City of Langley.

As of 2023, no cities with populations under 5,000 have adopted MFTE programs.

City Role

Implement the exemption and execute on reporting and administration procedures.

Considerations

The City and participating taxing districts will forgo property tax income for the duration of the exemption, reducing revenue for city services, including public safety and revenue for

participating taxing districts. City staff should carefully analyze impacts to the budget to better understand whether the City is able to forgo any lost revenue. The City should also make sure to carefully calibrate its program options and requirements to the local context as much as possible to optimize program participation.

Additionally, understanding program requirements for MFTE options with affordability limits can be challenging. Many of the developers and organizations that work in Langley and in Island County are likely to be smaller firms with limited staff capacity to research, interpret, and then financially analyze the current 12 and 20-year program options. The City should work to ensure that information on adopted program options is as detailed as possible and is accessible in the code and on the City’s website to increase transparency and increase awareness about the offered options. Ongoing predictability and ease of compliance with program requirements will be necessary too. Any compliance paperwork the city can produce would be helpful for developers concerned with the complexity of these program options. However, this will also require additional staff time to implement and maintain an MFTE program.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|-------------------|-----------------|---------------------------------|
| Low Income | 80% MFI and below | Renter or Owner | Low-Moderate |

Action 2.2: Analyze Impacts of Offering Deferrals or Waivers on Development Fees for Income-Restricted Affordable Housing Development

Rationale

Reducing permit fees can help offset development costs, increasing the financial feasibility for projects operating on thin margins, especially income-restricted affordable housing development. Since the City is interested in supporting income-restricted development, reducing development costs by offering fee reductions and/or waivers and payment deferrals may lower barriers to development or incentivize affordable unit production.

Description

Cities can create programs that offer payment deferrals or reduce or waive certain fees to incentivize or lower barriers for certain types of housing development needed and/or desired. Development fees could include land use fees (site plan review, design review, land division, etc.), public improvement permit fees (transportation, water, wastewater, stormwater), utility connection fees, and building permit fees. While the impact of this strategy is relatively small, depending on the type and/or the amount of fees reduced or waived, it may help lower the cost of development to projects operating on thin margins.

Reducing Fees or Granting Waivers

There are a number of avenues to reduce or waive fees for income-restricted affordable housing:

- Consider offering a discount rather than a full waiver for certain fees.
- Consider waiving only certain development fees such as utility connection fees.
- Create a sunset date for the fee waiver program or place a cap on the number of eligible projects, either per year or overall, to better gauge demand and impact.
- Identify an alternative revenue source to help backfill waived fees (e.g., General Fund, local sales tax or real estate excise tax REET, or an Affordable Housing Property Tax Levy)

Langley allows for waivers for income-restricted affordable housing from water participation fees (LMC 13.01.125) when funding is available to backfill waived fees. Given that Langley is a small city that operates under a tight city budget, the City should analyze the financial impacts of reducing or waiving fees for any kind of housing development prior to implementing policy, as fees generally help pay for services the city provides.

Fee Deferrals

Cities can also offer fee deferrals for impact fees or utility connection charges to better align with project financing. Instead of paying fees when applying for permits or at building permit issuance, developers could pay later when the property begins to receive income from rent or when a unit has sold. This could help avoid additional development costs from being wrapped up in the construction loan by allowing payment at a time when cash begins flowing through a project.

Examples

City of Tacoma maintains a policy that waives initial pre-development review fees for affordable housing projects proposed and developed by nonprofit organizations and THA (Tacoma Housing Authority). The program has several eligibility criteria. For example, a qualifying multifamily project must consist of 10 or more units with at least 20% of units affordable at 80% AMI or affordable for homebuyers with household incomes no greater than 115% of AMI, OR the project must have obtained a 12-year Multifamily Tax Exemption, OR the Project is sponsored and developed by a public authority created under RCW 35.82.030 or a 501 (c)(3) organization.

Pierce County Through Ordinance 2010-67S, the County allows owners of residential properties in unincorporated Pierce County to request a voluntary contractual lien to defer paying Sewer Connection Charges until a property is sold - but no later than 2 years from the date of sewer service permit issuance, or whichever comes first. It also allows large job-producing developments (e.g., with 25 or more full-time employees on-site) to amortize their Sewer Connection Charges for up to 15 years.

Friday Harbor FMC 13.40 allows qualified applicants developing income-restricted housing to apply for water and sewer connection fee deferrals. Projects are approved on a first-come, first-served basis if there are sufficient funds on hand in the utility connection charge deferral fund to transfer to the affected utility account. As a part of adopting the annual budget, Friday Harbor’s council may approve a transfer of moneys to the deferral fund from the General Fund or, if available, from other sources specifically dedicated to or authorized for use in connection with low income housing assistance programs.

City Role

Conduct an analysis seeking to understand the impact of reduced or foregone revenue from development fees on qualified affordable housing projects. The analysis will help the City understand the amount of annual funding necessary to support this type of program.

Considerations

Permit fees often help pay for essential city services, including employees. The City can choose to offset the reduction in permit fee revenue by dedicating a special fund to help backfill reduced or waived fees. However, this will require either a budget transfer from an existing fund or identifying another dedicated revenue stream.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|-------------------|-----------------|---------------------------------|
| Low-Income | 80% MFI and below | Renter or Owner | Low |

Action 2.3: Consider Amendments to the City's Innovative Affordable Housing Project Program to Better Incentivize Participation

Rationale

According to [LMC 18.04](#), Langley's comprehensive plan encourages revisions to the city's development regulations to increase the supply of affordable housing. Cities often use a density bonus or increased flexibility through development regulations to incentivize development of income-restricted housing in locations where it is particularly appropriate.

Description

Langley offers an affordable housing project demonstration program that provides a 100 percent density bonus in exchange for 50 years of sustained affordability to households below 120 percent of MFI. The program also allows applicants to submit modification requests related to other development standards, including the following:

- Lot size
- Lot coverage
- Parking
- Open space
- Setbacks

While these modifications, along with the density bonus, create a degree of flexibility that could help increase the overall development feasibility of a project that is likely operating on thin margins with a patchwork of various funding sources, the code also requires a project to demonstrate that it meets several other difficult and costly criteria, including:

- 50 years of guaranteed affordability on 100 percent of the units within a development
- Low-impact development techniques and materials
- Common open space
- Electric vehicle charging stations
- Energy-efficient technologies such as solar and water reuse systems
- Time-consuming application procedures

The City should consider ways to increase flexibility for affordable housing developments and limit eligibility criteria to encourage use of the innovation program. The city could consider making the following changes to Chapter 18.04:

- **Applicability and Incentives:** As the code exists, its applicability is very broad, allowing single-family development to utilize the code in RS zones and allowing multifamily development in permissible zones. The City should consider focusing the scope of the

code to just the areas where increases in height and density and reductions in parking requirements are both physically and politically feasible in order to properly incentivize program participation. This could include zones where the city would like to see denser rental units and areas where Planned Unit Developments (PUDs) are allowed, and developments could amortize affordable units more easily given the projects larger size.

- **Modification Requests:** The code currently allows projects to submit modification request for minimum lot size; minimum street frontage; minimum front, side, and rear yard setbacks; minimum parking requirements; maximum lot coverage; and minimum usable open space. It's likely that projects will want to submit modifications related to several if not all of these to help increase developable area on a site. This procedure can be highly subjective and burdensome to prepare with no guarantee that requests will be granted. As mentioned above, the City should focus the code on areas where modifications to existing regulations would be supported and they should be explicitly outlined within the code.
- **Tailoring the Code to the City of Langley:** The City should better tailor the code to reflect local context for items like transportation-related elements, such as promoting alternative transportation and public transit and accommodating parking for shared vehicle programs. While these goals are admirable and important in the context of creating environmentally sustainable development, the City is also in great need of affordable housing inventory and the City should work to balance policy priorities when developing innovative housing codes. Beyond transportation elements, the City should also evaluate how feasible low-impact development and energy efficiency requirements are as well. Otherwise, program participation is likely to remain limited.

Examples

City of Burien established an affordable housing demonstration program in 2019, recently extending the initial 2-year program and additional 2 years after receiving proposals for three different projects. The program caps at a total of 5 projects and gives allowances for types of housing and density standards that are not currently permitted under existing city regulations.

Bainbridge Island maintains a Housing Design Demonstration Projects (HDDP) program that promotes development of green affordable housing projects aimed at providing greater affordable housing options that champion sustainable development practices. The City has recently proposed changes to its existing program to encourage better utilization, including:

- Require that all designated affordable housing units serve households at or below low income (80% MFI).
- Moving from a scoring method (and removing minimum score requirements) to a site development checklist for reviewing innovative features.
- Make sustainable site development requirements optional for HDDP projects with 75% designated as affordable housing units.
- Reduce parking requirements for projects that are 100% affordable.

City Role

Prior to making code amendments to LMC 18.04, staff could conduct outreach or interviews with local nonprofits, affordable housing developers, or other stakeholders to understand how the chapter could better encourage use.

Once code changes are drafted, city staff can proceed with making agreed-upon amendments.

Considerations

The City could choose to create a cap on the number of demonstration projects or establish a program sunset date to evaluate impact to inform program discontinuation, revisions, or extension.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--|-----------------|---------------------------------|
| Low Income | Households with incomes below 80% of MFI | Renter or Owner | Low to Moderate |

Action 2.4: Consider an Affordable Housing Property Tax Levy

Rationale

Affordable housing for low-income households (below 80 percent of MFI) often requires state or federal financing and is therefore challenging to build. A local tax levy to support this type of low-income housing is one way for the City to help directly participate in its preservation and development.

Description

Cities, towns, and counties can impose a property tax levy to support affordable housing, requiring voter approval by a simple majority. The additional levy can be up to \$0.50 per \$1,000 of assessed value for up to 10 years per RCW 84.52.105. Revenues can be used to finance affordable housing for very low-income households, and it can be used to finance affordable homeownership, owner-occupied home repairs, and foreclosure prevention programs for low-income households.

To support affordable housing development, most jurisdictions have opted to use the Housing and Related Services Sales Tax authorized under RCW 82.14.530 (HB 1590). However, cities and towns may only impose the tax if the corresponding county has not already imposed the sales tax. The Cities and Island County agreed the tax would be more effective to implement at the county level. Island County authorized imposing an additional sales and use tax of 1/10th of 1 percent and began collection in July 2022. The City should coordinate with the County to determine how the funds generated from this tax will be distributed.

Examples

City of Vancouver voters passed a levy in 2016 that raised \$42 million for affordable housing projects via a property tax increase of 18 cents per thousand dollars of assessed property value. Voters will vote whether to renew the levy in 2023, which would raise the tax to 30 cents per thousand dollars of assessed value beginning in 2024. This renewed levy would last 10 years and raise an estimated \$100 million for affordable housing in the city. The levy would impose a cost of around \$12 per month to homeowners.

City of Bellingham voters approved a \$21 million, seven-year property tax levy in 2012 that established the Bellingham Home Fund to support affordable housing. In 2018, voters approved an extension and expansion of the levy, estimated to produce an additional \$40 million for the Fund over the next decade. The levy was based on RCW 84.52.105, which authorizes Washington cities to impose an additional property tax levy up to 50 cents per thousand dollars of assessed property value for up to ten years, provided the city declares an emergency with regard to affordable housing availability. The levy imposes an average cost of just under \$7 per month to homeowners in the city.

City Role

Develop a plan outlining how the funds generated by the tax levy will be used to address Langley’s affordable housing needs. Once a plan is determined to be acceptable by decision-makers and the community, the City should conduct a financial study to determine the amount of the tax levy needed to implement the plan.

Considerations

Cities and counties who both implement the levy must coordinate to ensure the total combined rate does not exceed \$0.50 per \$1,000. The jurisdiction who last implements the levy will be required to reduce or eliminate (depending on the value of the levy implemented first) the levy to keep the combined levy under the \$0.50 threshold.

Cities must declare an emergency related to the availability of housing that is affordable to low-income households. They are also required to develop an affordable housing financing plan that outlines how the money will be spent to ensure it aligns with local, regional, or state affordable housing strategies.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--|-----------------|---------------------------------|
| Low-income | Households with incomes below 80% of MFI | Renter or Owner | Low to Moderate |

Action 2.5: Deem Cooperative Housing Models Eligible for Income-Restricted Housing Programs or Incentives

Rationale

An option for maintaining long-term affordability for homeownership opportunities is through a housing cooperative, which is one of two legal structures available to allow resident ownership of multifamily property.

Description

Housing cooperatives provide a flexible and accessible homeownership model and are similar in concept to land trusts in that they allow for long-term affordable homeownership options. Instead of an individual family (or a land trust) owning a single-family home or a condominium, a cooperative corporation (or co-op) formed by the residents owns the housing, most often in the form of a multifamily building. Each resident household buys a share in the co-op building at a price that can be far below the cost of a down payment for a market-rate single-family home; this is called a “share price.” Purchasing this share makes the household a member of the co-op and entitles the household to live in a unit with a proprietary lease.

City Role

Given that the City of Langley likely has limited capacity to directly participate in the development or formation of a housing co-op (e.g., through direct financial and/or legal assistance), the City could instead deem co-ops as eligible for city programs and incentives that support income-restricted affordable housing development. Programs and incentives might include:

- Reduced or waived development fees
- Flexible development regulations for new projects
- Tax abatements

Considerations

If circumstances for the City change, there are other ways co-ops can be supported, such as providing information about the programs to prospective participants, technical assistance in the permitting and development process, or providing down payment assistance to lower the owner’s share purchase price. The City could also take a role in providing legal assistance for formation of a housing cooperative.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|---------------------|---|----------------|---------------------------------|
| Low-Moderate Income | Households with incomes below 120% of MFI | Owner | Low to moderate |

Goal 3: Support Housing Preservation and Anti-Displacement Strategies

Action 3.1: Track the Supply of Regulated Affordable Housing and Engage with Current Operators to Support Continued Affordability

Rationale

When affordability restrictions end, properties are at risk of moving to market-rate housing, thereby losing critical affordability for their tenants. This risk is particularly high if properties are owned by private, for-profit companies (nonprofit affordable housing owners and operators will typically work to keep the rents affordable). When affordability restrictions end, properties often need to be recapitalized (get new funding and loans) and or rehabilitated to improve their physical conditions and renew affordability limits. This funding is typically competitive and hard to find. In tight housing markets, for-profit developers may seek properties that need rehabilitations, finance the construction with debt, and then raise the rents to pay for the debt service, thereby removing units from the affordable housing stock.

Rising housing costs and loss of existing, income-restricted housing units could displace low-income residents. Publicly available inventories for regulated affordable units are often incomplete, lack essential data points, or are out of date. Langley has a supply of regulated affordable housing, but to assist in their preservation, the city must understand how many units there are, their condition, subsidy expiration dates, and current ownership to accurately assess their vulnerability risk.

Description

The City should consider implementing a program to track its supply of regulated affordable housing. Langley has a supply of regulated affordable housing which may have been built at different times, with different funding types, and with different affordability restrictions. They all have various expirations on those affordability restrictions as well. A tracking system could be put in place to better understand this inventory and proactively plan to assist with preservation interventions. Waitlists for these types of units in Island County are extremely long, indicating a strong demand for affordable options. It's critical for the City and the County to ensure the few income-restricted units the City has are not lost over time.

An inventory of the City's regulated units is included in the 2022 Housing Needs Assessment, however some of the details should be confirmed by property owners, given that this type of data can be unreliable. The City could conduct outreach to existing property owners of the regulated developments to confirm when restrictions are set to expire and gauge what kind of assistance current property owners may need to extend affordability restrictions.

Island County is working on drafting a Revenue Distribution Plan for Affordable Housing and Related Services for funds generated through an affordable housing sales tax authorized under HB 1590. Funds generated through this sales tax can be applied to projects in Island County

serving households with incomes at or below 60 percent of MFI. Projects can include the following:

- Planning, acquisition, and planning/predevelopment activities for homeless housing and affordable housing projects.
- Construction, rehabilitation, repair, replacement, or improvement of facilities for those experiencing homelessness and for affordable housing projects.

Langley staff could offer application assistance to property owners who have qualifying projects in need of funding.

City Role

Conduct outreach to property owners of regulated affordable housing developments in Langley to inform inventory and offer technical assistance in applying for funding.

Considerations

Opportunity funding and an operator would need to be identified and willing to engage for this strategy to work to preserve units. The City should work to seek out national, state, or even county funding sources to make outreach efforts compelling to property owners.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--|-----------------|---------------------------------|
| Low-Income | Households with incomes below 80% of MFI | Renter or Owner | Moderate |

Action 3.2: Monitor Neighborhoods Potentially at Risk for Displacement

Rationale

With a nuanced understanding of the areas that might have the most vulnerability to physical and economic cultural displacement, the City can employ its anti-displacement recommendations in a geographically focused way. Many of the tenants living in unregulated affordable properties will be at risk if their building is purchased and rents rise. In addition, city-led changes in zoning allowances and infrastructure investments to allow more intense housing development can increase the chances that households vulnerable to displacement see increased displacement pressures.

Description

The City should continue to monitor areas they suspect to be at a high risk for displacement as development occurs, housing market conditions change, or development opportunities may rise. In addition, before land use changes are proposed or enacted in areas that are vulnerable to displacement risk, the City should assess risk and proactively engage with the communities where there are proposed land use changes.

Given that Langley is a very small city, and displacement analyses generally takes place at the Census tract or block group level, it will be challenging to isolate specific areas at risk within city limits. However, there are indicators the City can monitor in specific areas, especially when using outreach surveys. Below are variables typically used by PSRC's Displacement Risk Mapping Tool.

Calculating Displacement Risk

Percent of population that is a race other than non-Hispanic White

Percent of households that speak a language other than English at home

Percent of population ≥ 25 who lack a bachelor's degree

Percent of households that are renters

Percent of households paying more than 30 percent of gross income on housing

Per capita income

Outside of examining an area's population more closely, the City can set up a monitoring process for unregulated rental properties in areas where properties may be at risk of being sold to private investors and are seeing rents/leases increase, such as the Ferman/Dekker neighborhood. This can be done by establishing criteria to flag properties at risk, such as low rents, deferred maintenance, under 20 units, non-institutional owners (a.k.a., mom-and-pop owners), located in amenity rich areas, near recent redevelopments, or on high-cost land.

Once areas of concern are identified, the City can consider crafting an anti-displacement strategy focused on the specific area that could include affordability requirements along with entitlement changes or choose to preserve existing zoning in areas at high risk of displacement. Other strategies (several of which are already included in the HAP) that can help mitigate displacement risk include:

- **Land disposition:** Jurisdictions transfer or lease out underutilized public lands to affordable housing developers for little to no cost.
- **Land banking:** Jurisdictions hold land for future development while searching for a longer-term future affordable housing developer.

- **Community Land Trusts:** Nonprofit organizations hold the land for community use, separating the cost of the land from the cost of housing to keep housing costs low for residents in perpetuity (for either renters or homeowners). Because the success of these programs is relative to the amount of land available, this strategy works well in conjunction with land banking.
- **Affordable housing preservation:** Jurisdictions protect lower-cost housing from redevelopment, rising rents, deterioration, or loss of subsidy. This can be done through programs such as community land trusts, providing acquisition funds to nonprofit developers, or transferring development rights for affordable housing programs in different areas.
- **Equitable development:** Policies and practices that maximize benefits for communities who have historically faced barriers to stable housing. Policies should seek to address disparities in access to resources, services, and opportunities, ensuring that economic development benefits everyone. Policies and practices might include workforce development programs or small business support.
- **Tenant protections:** Jurisdictions can support housing stability for renters through a variety of programs, including tenant relocation assistance in the event of displacement, preventing discrimination through Fair Chance Housing Ordinances, extending rent increasing notification requirements, and capping move-in and late fees.

City Role

There are several avenues the City can take:

- Coordinate with the County to conduct a displacement risk analysis for Whidbey Island to see where areas at risk might overlap with Langley's jurisdictional boundaries.
- Since the City is already aware (anecdotally) of which areas may be most susceptible to displacement, staff can conduct an income survey in the Furman and Decker neighborhoods to determine whether 51% or more of households in those areas fall within the 80% Area Median Income (AMI) or below bracket. If survey results indicate that is the case, the City can submit an application for Community Development Block Grant (CDBG) funds to encourage the private connection of sewers to the city's mains during the construction phase of the Local Infrastructure Project (LIP). In the event that the entire neighborhood fails to meet the qualification criteria, collaborate with a nonprofit organization to secure CDBG loans for individual homeowners who do meet the eligibility requirements.
- Implement anti-displacement strategies in areas demonstrating potential displacement risk.

Considerations

The Multifamily Tax Exemption could help preserve unregulated affordable multifamily properties if the City adopts a program and the developments fall within a designated target

area. Information on which program’s Langley qualifies for can be found in Action 2.1. This tool could give property owners a property tax exemption in exchange for rent restrictions.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|---------------------|---|----------------|---------------------------------|
| Low-Moderate Income | Households with incomes below 120% of MFI | Renter | Low |

Action 3.3: Distribute Informational Resources on Tenant Right Education Programs

Rationale

Knowledge of tenant protection rights can protect renters from unfair or illegal practices by landlords or property managers. Renters also might have resources they qualify for if at risk of housing instability.

Description

Washington State law provides some protections for renters, including requirements from the Residential-Landlord Tenant Act (RCW 59.18) regarding home repairs, inspections, evictions, and more. Educational programs can increase tenants' understanding of these legal rights to avoid unjust evictions and ensure a quality living environment. Some legal assistance resources from advocacy organizations are available statewide, such as Tenants Union of Washington and the Northwest Justice Project. The City could seek to raise awareness of these resources or partner with existing organizations and programs to distribute information on available resources to local renters.

Examples of Resources to Provide Information On

Island County’s Human Services Department provides a variety of services, programs, and resources to assist residents of Island County with their housing needs, including a variety of grant and loan programs to assist renters, homebuyers, homeowners, and affordable housing developers.

Seattle’s Office of Housing has a Tenant Services Program that provides free counseling and education to Seattle renters. They offer workshops, trainings, and one-on-one counseling to help tenants understand their rights and responsibilities.

Tacoma’s Office of Equity and Human Rights has a Tenant/Landlord Assistance Program that provides education and resources to tenants and landlords. They offer workshops and trainings on tenant rights and landlord-tenant law.

City Role

The City can coordinate with an existing program like Island County to ensure residents of Langley have access to those resources through the distribution of brochures. The City will have the ability to interact with new renters when switching utility bills from the landlord’s (or previous tenant’s) name to themselves, providing an opportunity to distribute information on where they might find renter resources on Whidbey or through the County.

Considerations

No additional considerations

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--------|----------------|---------------------------------|
| All | All | Renter | N/A |

Action 3.4: Analyze Utility Usage to Track Second Homes

Rationale

Tracking the presence of second homes can help the city to understand the need for regulations aimed at increasing the number of units available to permanent residents and workers, as second homes reduce the overall supply of housing and buildable land.

Description

Langley’s housing vacancy shows that approximately 67 percent of vacancies are due to seasonal, recreational, or occasional use. This is likely because Whidbey Island is a recreation and tourist destination and has a large share of vacation rentals and second homes. At the rate housing units are lost to vacation rentals or second homes, the City should be actively monitoring the volume of second homes in the community and evaluate ways in which it can either slow the growth of second homes or incentivize housing production at a rate that can accommodate both the needs of future residents and a strong second-home market. Otherwise, imbalances within the community will continue to grow.

The City can monitor second homes through utility usage and billing if other data sources are unavailable. For example, the City can look at households that had minimal water usage in an off-tourism/vacation month such as February compared to a time when tourism or vacations are more likely such as July.

City Role

Hire a consultant with expertise in evaluating the presence of short-term rentals and/or vacation homes or identify an internal staff team to lead the analysis, as it will likely require a few city departments.

Considerations

Vacation rentals and second homes help support local economies through tourism. Balance between meeting the needs of long-term residents and supporting tourism through vacation rentals and second homes is key.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--|------------------|-----------------|---|
| Households seeking long-term housing opportunity | Any income level | Renter or Owner | This strategy is not anticipated to produce units, but it could help the city make policy decisions related to second homes |

Action 3.5: Conduct Targeted Outreach to Property Owners Whose Homes Remain Vacant for Extended Periods of Time.

Rationale

The City would like to increase year-round occupancy of the existing housing stock. Many houses in Langley are vacant and not available to visitors or long-term residents.

Description

The City can initiate conversations with property owners who may leave their homes vacant for extended periods of time, assuming the majority of them are second homes. Conversations with owners may help the City better understand an owner's long-term plans and identify any short-term occupancy opportunities for those who are moving to Whidbey but are unable to find long-term housing. More directly, the City could explore incentives or disincentives to discourage vacancies for extended periods of time, which may help reduce the amount of vacation homes in Langley's housing stock.

City Role

The City could set up outreach meetings, where staff and property owners could discuss concerns and identify any possible solutions.

Considerations

The City will need to determine which property owners are absent for extended periods of time. Additionally, second homes in Langley are likely to be unaffordable to many of the City's community members. The City should consider who might be able to afford to rent these homes if they were to become available or ways to incentivize their affordability if owners agree to rent them either short or long term.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|-----------|----------------|---|
| Moderate-High | 120%+ MFI | Renter | This strategy would not produce new housing units, but it could very modestly increase the number of units available for rent depending on the outcome. |

Goal 4: Address Emergency, Transitional, and Supportive Housing Requirements

Action 4.1: Adopt Code Amendments That Accommodate Supportive and Transitional Housing, and Emergency Shelters

Rationale

Refining this code language is a best practice recommended by state legislation and can create a clearer path for transitional housing providers.

Description

Washington's E2SHB 1220 includes requirements for cities related to zoning and development regulations for emergency shelters, transitional housing, and permanent supportive housing for people who are homeless or at risk of homelessness.

RCW 35.21.689 (adopted in 2019) requires cities to allow permanent supportive housing in areas where multifamily housing is permitted. HB 1220, effective September 30, 2021, then required cities to allow transitional housing or permanent supportive housing in any zones where residential dwelling units or hotels are allowed. It also requires that cities allow indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.

Currently Langley's code does not address emergency shelters, transitional housing, or permanent supportive housing. The City should adopt code amendments that specifically define these uses and add them to the permitted use table.

City Role

Draft and adopt code amendments that comply with state requirements.

Considerations

HB 1220 allows cities to adopt "reasonable occupancy, spacing, and intensity of use" requirements for the four housing and shelter types. Langley could consider adopting code provisions that address each of these to better tailor regulations to the local context. Examples for how cities have addressed each are provided below.²

² <https://mrsc.org/stay-informed/mrsc-insight/june-2021/changing-your-zoning-code-for-homeless-housing>

Examples

Burien addresses **occupancy** for specific land uses, such as a Community Residential Facility (CRF), and differentiates between smaller facilities where capacity may be for 9-10 residents and more intensive facilities where there is not a specified limit for residents and staff. The City also established occupancy standards to address the type of person staying at a specialized facility.

Bellingham requires an operations plan to mitigate any potential impacts related to the **intensity of use** for interim housing. Intensity of use standards may be related to occupancy standards, but they may also address things like noise or entry conditions. BMC 20.15A.020.

Kent established spacing requirements between emergency housing or emergency facility sites. KMC 15.04.020.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|-----------------------|--|----------------|---------------------------------|
| Low-income households | Households with incomes below 30% of MFI | N/A | N/A |

5. Implementation Plan

This section will provide an implementation blueprint showing the timing of actions, who will lead implementation, and potential monitoring and performance measurements. Since Langley will soon begin updating its Comprehensive Plan by 2025, actions involving amendments to the Comprehensive Plan should be included as a part of this update process to be as efficient as possible. In general, actions should be sequenced with other actions, plan updates, and work priorities to support feasibility.

The City could consider preparing an annual or bi-annual report (such as a scorecard) to evaluate HAP progress towards meeting the performance objectives (strategies and actions). The action priorities could be discussed with partners and shared as a part of community outreach/involvement to ensure alignment with the plan of action.

The following section outlines the approach to achieve effective implementation. This section includes the detailed implementation plan, which includes:

- A timeline for implementing various strategies.
- A list of departments and partners responsible for implementing different actions.
- Potential level of resource needs.

The proposed planning horizon for the Housing Action Plan is 5 years, commencing from 2024 (after approved) and completed by 2039. Each action has a corresponding short, medium, or long-term timeline based on prioritization and feasibility.

- Short-term: 1-2 years
- Short-Medium-term: 2-3 Years
- Medium-term: 3-4 years
- Long-term: 5 years

The implementation plan also considers the level of resources needed, both in staff and other costs (e.g., consultant support)

Staff: How labor-intensive is this action?

- Minimal Staff Resources
- Moderate Staff Resources
- Intensive Staff Resources

Costs: How much would it cost to implement this action? This provides the estimated funding required to implement the strategy relative to other strategies.

- Minimal Investment
- Moderate Investment
- Significant Investment

Exhibit 2: Implementation Plan

| Action | Timeframe | Who | Staff Resources | Costs |
|---|-----------|--|-----------------|--------|
| <i>1.1 Identify Public-Private Partnerships to Support Housing Development</i> | 2-3 years | City Administrator, PAB, City Council, Community Planning Staff | Moderate | \$ |
| <i>1.2 Conduct a More Robust Buildable Lands Analysis to Validate Current Availability of Land for Housing Development</i> | 3-4 years | Community Planning Staff | Moderate | \$\$ |
| <i>1.3 Coordinate with Other Public Agencies to Identify Publicly Owned Land in Langley Suitable for Housing Development</i> | 1-2 years | City Administrator, City Council, Community Planning, School District, Port of South Whidbey, other agencies | Intensive | \$ |
| <i>1.4 Align Capital Investments in Infrastructure to Support Future Housing Development</i> | 5 years | Community Planning, Public Works | Minimal | \$\$ |
| <i>2.1 Evaluate the Feasibility of Adopting an MFTE Program</i> | 5 years | Community Planning, PAB, City Council | Minimal | \$\$ |
| <i>2.2 Analyze Impacts of Offering Deferrals or Waivers on Permit Fees for Income-Restricted Affordable Housing Development</i> | 1-2 years | Community Planning, Finance Director | Minimal | \$ |
| <i>2.3 Consider Amendments to the City's Innovative Affordable Housing Project program to better incentivize participation</i> | 3-4 years | Community Planning, PAB | Moderate | \$ |
| <i>2.4 Consider an Affordable Housing Property Tax Levy</i> | 3-4 years | Finance Director, City Administrator, City Council | Intensive | \$\$\$ |
| <i>2.5 Deem Cooperative Housing Models Eligible for Income-Restricted Housing Programs or Incentives</i> | 3-4 years | Community Planning, Finance Director, City Council | Minimal | \$\$ |

| Action | Timeframe | Who | Staff Resources | Costs |
|--|-----------|--|-----------------|-------|
| <i>3.1 Track the Supply of Regulated Affordable Housing and Engage with Current Operators to Support Continued Affordability</i> | 3-4 years | Community Planning | Intensive | \$\$ |
| <i>3.2 Monitor Neighborhoods Potentially at Risk for Displacement</i> | 1-2 years | Community Planning | Intensive | \$\$ |
| <i>3.3 Distribute Informational Resources on Tenant Right Education Programs</i> | 3-4 years | Community Planning, Clerk Treasurer's Office | Minimal | \$ |
| <i>3.4 Analyze Utility Usage to Track Second Homes</i> | 1-2 years | Community Planning, Public Works, Clerk Treasurer's Office | Intensive | \$\$ |
| <i>3.5 Conduct Targeted Outreach to Property Owners Whose Homes Remain Vacant for Extended Periods of Time</i> | 2-3 years | Community Planning and Building | Moderate | \$ |
| <i>4.1 Adopt Code Amendments That Accommodate Supportive and Transitional Housing, and Emergency Shelters</i> | ongoing | Community Planning, PAB | Minimal | \$\$ |

Monitoring Implementation Progress

In order to ensure progress in meeting housing goals, the city has decided to update its HAP two years after each periodic update of the Comprehensive Plan. Langley's Comprehensive Plan will now be updated every 10 years, with the next periodic update slated for completion in 2025. Accordingly, the City plans to update the HAP in 2027, aligning it with the comprehensive plan's most recent update. Following the next periodic update in 2035, the HAP will undergo another update in 2037 (and so forth). As part of this process, the City will need to determine implementation plan timelines appropriate for each HAP update. This coordinated approach will enable the city to adapt its housing strategies in line with the evolving needs of the community.

To help the City track progress on implementation and identify priorities for each HAP update, a set of options for measuring the performance of different actions is outlined in this section. The City should track its progress towards achieving its housing goals by developing a set of indicators to track on a regular basis. Determining the exact indicators and monitoring frequency will require additional research on availability of data, availability of staff time and tracking systems, as well as discussions with City leaders and the community to ensure that the chosen indicators adequately gauge housing progress. The table below provides examples of potential indicators that the City could track.

Exhibit 3: Potential Indicators to Consider for Monitoring Action Plan Progress

| General Plan Performance Metrics | Potential Indicators and Data Sources |
|---|--|
| Increase affordable housing units | Number of properties or units acquired/preserved by City, Island County, or other organizations/housing providers. Potential Data Sources: City of Langley, Island County, Island County Housing Authority |
| | Share of rent-burdened residents. Potential Data Source: Census (ACS) and HUD. |
| | Number of requests the City and County receives for tenant assistance (waiting list information). Potential Data Sources: Island County, Island County Housing Authority |
| | Number of new affordable housing units built via MFTE, Inclusionary Housing/Zoning policy, and other key housing programs. Potential Data Sources: City of Langley |
| | Number and description of affordable housing projects and partnership driven projects (describe partners and contributions). Potential Data Sources: City of Langley, local and regional nonprofits, Island County Housing Authority |
| Increase both market-rate and affordable housing production | Number and location of new market-rate and affordable homes in Langley. Potential Data Sources: Island County, City of Langley |
| | Number and type of new homes produced and total within the City over time - location, tenure, size, sale price/asking rent, and unit type (ADUs, backyard homes, condos, apartment, duplex, triplex, quadplex, townhome, etc.). Potential Data Sources: City of Langley, Island County Assessor, CoStar, Census, or Washington State Office of Financial Management. |
| Increase in education and awareness on housing topics | Number of meetings, training/educational workshops, events. Potential Data Sources: City of Langley, Island County, Island County Housing Authority, other local nonprofits |
| | Number of participants, views to city website, requests for information. Potential Data Sources: City of Langley, local service providers |
| | Number of factsheets and educational materials released. Potential Data Sources: City of Langley |

Appendix A: Housing Needs Assessment

The City of Langley is undertaking a Housing Action Plan (HAP) to identify ways to meet housing needs now and into the future. An initial step for developing the HAP is to identify and define the range of housing needs by analyzing the best available data describing Langley's household demographics, housing stock, housing market dynamics, and expected need. The insights from this analysis help to build a factual basis for the HAP strategies. This Housing Needs Assessment (HNA) answers questions about the availability of different housing types, who lives and works in Langley, and what range of housing is needed to meet current and future housing needs.

Key Findings

Population and Household Demographics

- Langley exceeded its population estimate for 2036 and will need to adequately plan for a growing population with a diverse set of needs. Langley and Island County's population is growing faster than adopted population estimates. The Island County Comprehensive Plan's population estimation for 2036 tracks closer to the Washington Office of Financial Management's (OFM) medium projection rather than the low-medium that was adopted, causing Langley to exceed its population projection.
- **Langley's population is aging faster than the County and its population will require special housing needs.** The share of adults in Langley aged 60 and older has increased substantially from 2010 to 2020.
- **Langley has a smaller household size than the County, which will likely mean an increased demand for smaller types of housing into the future.** Langley has a higher proportion of one and two-person households than Island County overall. However, Langley saw substantial growth in two-person households and a large decrease in the number of one-person households between 2010 and 2020.
- **Langley's household income is lower than the County overall, with 40 percent of households earning less than \$50,000 annually.** This could be explained by a high number of retirees living in Langley. However, since 2010 the percent of Langley households earning greater than \$75,000 annually increased by over 100 percent, which could indicate an influx of higher-income earners.

Employment and Commuting

- **Langley's employees are unable to find housing that meet their needs within the City.** The City has documented barriers for hiring and retaining employees for local businesses due to both an unaffordable and/or unavailable housing stock. Roughly 95 percent of the jobs in the City of Langley are filled by workers commuting into the area for employment, and only 27 employed Langley residents live and work within the City.

- **Given Langley’s aging population, many of which are likely retired, the City will need to consider how to accommodate housing for younger, working adults in order to achieve its allocated job growth.** Langley is expected to accommodate an additional 51 jobs by 2036, representing almost 17 percent of South Island County employment.

Housing Characteristics

- **Langley’s housing stock lacks diversity, but less so than Island County.** A lack of diversity will contribute to Langley’s inability to adequately meet the changing housing needs of its population. Whereas about 78 percent of the housing in Island County is comprised of single-family detached units, only around 67 percent of Langley’s housing is single family, and 24 percent is multifamily.
- **The number of owner-occupied units in Langley grew by 12 percent.** There could be several reasons why this occurred, but it *could* indicate that some rental units have turned into ownership because of an increased demand for second homes or vacation rentals or the housing built in Langley is largely an ownership product.
- **Langley likely has a large stock of second and vacation homes, which will exacerbate affordability issues in many communities, especially small ones.** Housing vacancy shows that approximately 67 percent of vacancies in Langley are due to seasonal, recreational, or occasional use.
- **Residential development in Langley has largely decreased since 2016.** The majority of homes built have been single family, which will not adequately meet the need of renters, an aging population, or the needed workforce. However, the City has seen an increase in ADU development and the addition of a tiny home development for low-income residents.
- **Langley has one of the highest median home sale prices on Whidbey Island, which is financially unattainable for residents.** Between 2017 and 2022, the median sale price in Langley increased by approximately 60 percent. The median home sales price in Langley in 2022 is about \$600,000. A household would need to earn about 310 percent of MFI in order to afford the median sale price, which is less than 14 percent of households.
- **Nearly half of Langley residents are unable to find affordable housing options.** As a result, many households are cost burdened, spending more than 30 percent of their monthly income on housing costs. Around 41 percent of households in Langley are considered to be cost burdened to some degree. Of them, 12 percent are severely cost burdened. More so, 61 percent of renter households are cost burdened, and 21 percent of all renter households are severely cost burdened. Langley’s households are more cost burdened than households in Island County and in Washington overall, especially when looking at renter households.

Housing Needs

- **Langley will need to prepare for an additional 122 housing units by 2036 to meet future demand and provide sufficient housing to accommodate unmet *existing* need.**

Introduction

Through House Bill 1923, the Washington State Department of Commerce awarded grant funds to 44 communities in November 2021.³ The City of Langley was one of these grant recipients. The grant allows cities to research their housing needs, engage the community in a public process, and identify zoning changes or programs to encourage housing production that meet the specific needs of their communities.

The City of Langley has utilized its grant funds to create a Housing Action Plan that will build upon the City's 2021 Housing Challenges Report and support Langley's 2024 Comprehensive Plan Periodic Update, which will be completed in 2025. Langley's Housing Action Plan (HAP) will be completed by June 2023.

This Housing Needs Assessment (HNA) provides the quantitative data analysis required to gain a deep understanding of the housing market dynamics, unmet housing needs, and housing projections. The needs uncovered in the HNA serve as a foundation to deliver informed HAP strategy recommendations to encourage construction of a wide range of affordable and market-rate housing types that are affordable to households at different income levels. The HNA also provides information about the factors that may affect residential development in Langley over the next 20 years, including housing market changes and shifting housing affordability needs and household demographics.

Data Collection & Methodology

In this assessment we drew from a variety of data sources to compile a comprehensive understanding of Langley's housing needs. One of the key sources for housing and household data is the US Census Bureau. This assessment also leverages other publicly available data sources from federal, state, and local government resources and private sources such as Redfin.

Organization of This Report

The remainder of this document is organized into the following sections:

- **2. Community Profile** presents community demographic information, including population growth, age, household characteristics, and income distribution that affect housing choice and needs in Langley.
- **3. Housing Characteristics** presents the current mix of housing types, housing tenure, vacancy rates, and summarizes regional and local housing market trends affecting Langley's housing market.

³ Source: <https://www.commerce.wa.gov/programs/gms/housing-planning/middle-housing-team/>

- **4. Housing Needs in Langley** presents the forecast for housing growth in Langley and the housing needed to accommodate future residents.
- **5. Summary of Existing Housing Policies** includes a review of key housing policies and programs and a high-level analysis of their use since implementation.

Community Profile

Introduction

The purpose of this section is to understand the community demographic trends and factors that will affect housing demand and development in the City of Langley. These demographic factors include:

- Population Growth
- Age Distribution
- Household Characteristics
- Employment and Commuting

In addition, this information helps to account for trends concerning who Langley is serving and not serving with housing.

Population Growth and Forecast

Population growth and household formation are the primary drivers of demand for housing. The rate of population growth and household characteristics heavily influence the demand for specific housing types. The City of Langley, along with Island County, experienced somewhat steady growth since 1990, with the largest increase between 1990 and 2000.

The City of Langley has seen a 37 percent increase in population since 1990, with an average annual growth rate (AAGR) of 1 percent between 1990 and 2022. In comparison, Island County has grown at a slightly faster rate over the last 30 years.

Exhibit 4: Population Growth from 1990 to 2022, City of Langley and Island County, 2022

Source: ECONorthwest, Office of Financial Management Population Estimates

| | | | | | Change 1990 to 2022 | |
|-----------------|--------|--------|--------|--------|---------------------|------|
| | 1990 | 2000 | 2010 | 2022 | Percent | AAGR |
| City of Langley | 845 | 959 | 1,035 | 1,155 | 37% | 1.0% |
| Island County | 60,195 | 71,558 | 78,506 | 87,700 | 46% | 1.2% |

Population Forecast

According to the 2016 Island County Comprehensive Plan, the South Whidbey Planning Area population can be expected to increase by 1,211 from 2010 to 2036. At a minimum, 19 percent of

this growth (or 230 persons) is expected to occur within the Freeland and Langley UGAs. Langley is allocated about 39 percent (90) of that growth.⁴ This would bring Langley’s 2036 population to 1,127. However, given that Langley’s population estimate in 2022 is 1,155, the City has already exceeded its original growth allocation from Island County.

A critical part of the HNA is to create an estimate of future housing needs based on growth allocations or population estimates. Since Langley has exceeded their allocation, this report will assume a different population estimate more in line with how Island County and Langley have been growing since the 2016 Island County Comprehensive Plan Update when the growth allocations were made.

Washington’s Office of Financial Management (OFM) prepares a range (low, medium, and high) of possible population growth for Washington counties participating in the Growth Management Act (GMA). County officials must select a 20-year GMA county planning target from within the range and develop population planning targets for cities, towns, and unincorporated areas. The 2016 Island County Comprehensive Plan Update used the 2012 OFM population projections, which provided estimates for a 20-year period (through 2036). Island County opted for a population estimate between OFM’s low (69,004) and medium (90,848) estimates, which was 87,917. Looking at OFM’s 2021 Island County population estimates, the County has an estimated population of 87,100, which tracks closest to OFM’s medium 2012 projection for the year 2021 (83,234).⁵

Exhibit 5: Population Growth from 2010-2036, City of Langley and Island County

Source: ECONorthwest; WA Office of Financial Management 2017 GMA Projections - Medium Series; OFM 2017 Intercensal Total Population Estimate

| | 2010 | 2017 | 2022 | 2036 | Change 2010 to 2036 | |
|-----------------|--------|--------|--------|--------------|---------------------|-------|
| | | | | | Percent | AAGR |
| City of Langley | 1.035 | 1.126 | 1.155 | 1,245 | 20.3% | 0.71% |
| Island County | 78.506 | 84.125 | 87.700 | 92.639 | 18.0% | 0.64% |

OFM releases a round of population projections every 5 years, the latest of which was released in 2017. As of 2021, the County’s population is tracking closest to the medium projection (84,910). For the purposes of projecting housing needs, we will use the County’s medium population estimates from 2017 to estimate Langley’s 2036 population, since the original estimate was exceeded.

Outlined in the 2016 Island County Comprehensive Plan, the County allocated 19% of its growth to the South Whidbey Island Planning Area. Using the 2017 medium estimate for Island County’s 2036 population (92,639), this would mean the Island would grow by about 8,514 people between 2017 and 2036 and South Whidbey would gain about 1,617 residents. The County also assumed that 19% of South Whidbey’s growth would occur within the Freeland

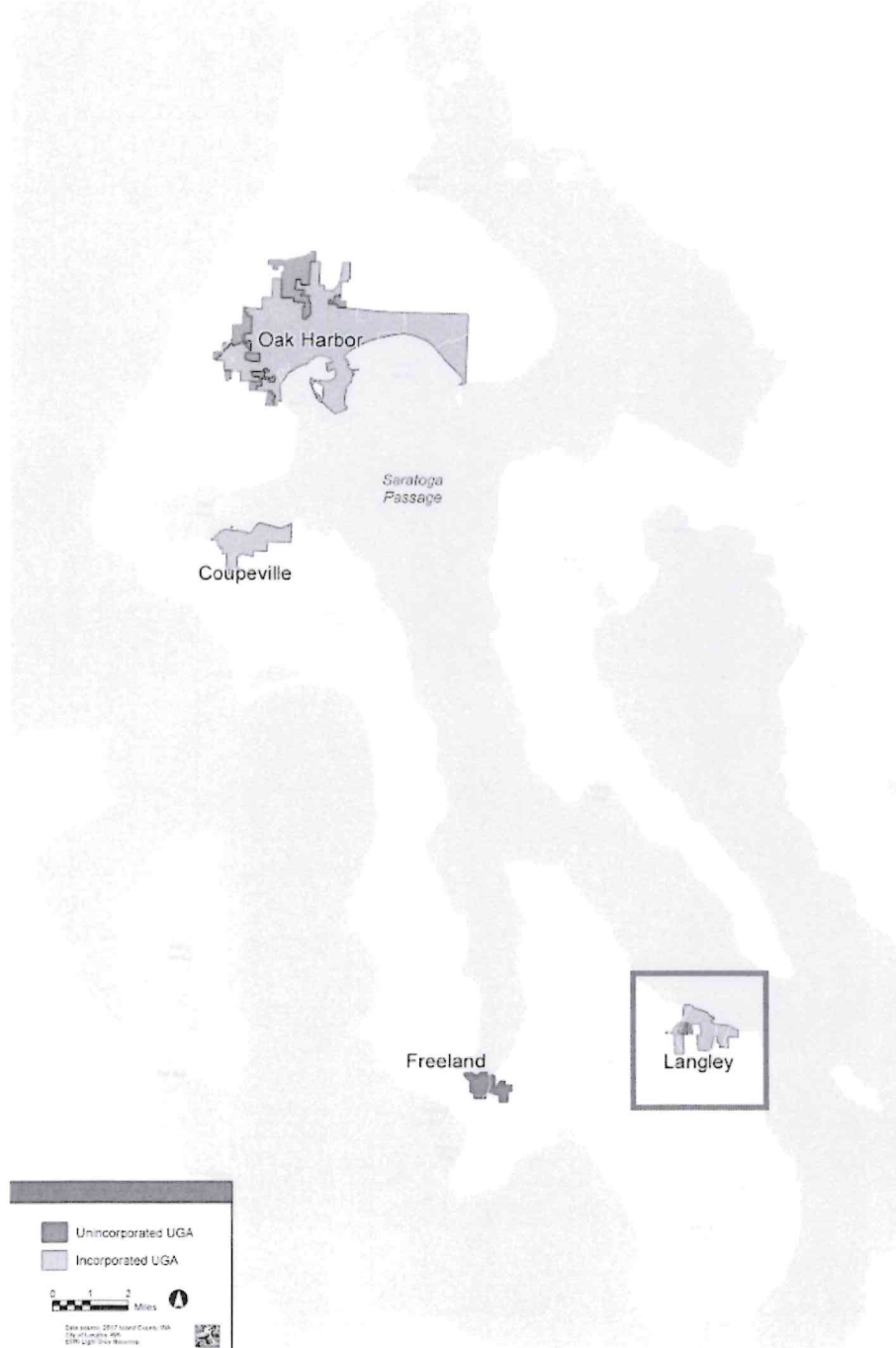
⁴ 2016 Island County Comprehensive Plan Appendix B.

⁵ Island County’s low projection for 2021 was 70,378 and the high projection was 101,172.

and Langley urban growth areas (UGAs) (about 307 residents). Freeland was allocated 61 percent and Langley was allocated 39 percent of that growth, which would bring Langley's growth between 2017 and 2036 to about 119 residents. Taking Langley's 2017 population estimate of 1,126 people, this would mean Langley's 2036 population estimate is 1,245 (assuming OFM's medium growth scenario, rather than a low-medium scenario).

Exhibit 6: Whidbey Island UGAs, 2020

Source: Langley Comprehensive Plan, 2020



Age Distribution

Households make different housing choices at different stages of life to fit their changing needs. The type of housing needed for a 20-year-old college student differs from that of a 40-year-old parent with children, or an 80-year-old single adult as shown in Exhibit 5.

Langley’s share of adults aged 60 and older has increased substantially from 2010 to 2020 and is much higher than the County overall. As Langley’s population ages, specific types of housing will be needed to accommodate older residents.

The median age in the City of Langley is 23 years older than the median age in Island County. From 2010 to 2020, Langley’s median age increased by 12 years.

Exhibit 7: Median Age, City of Langley, 2020

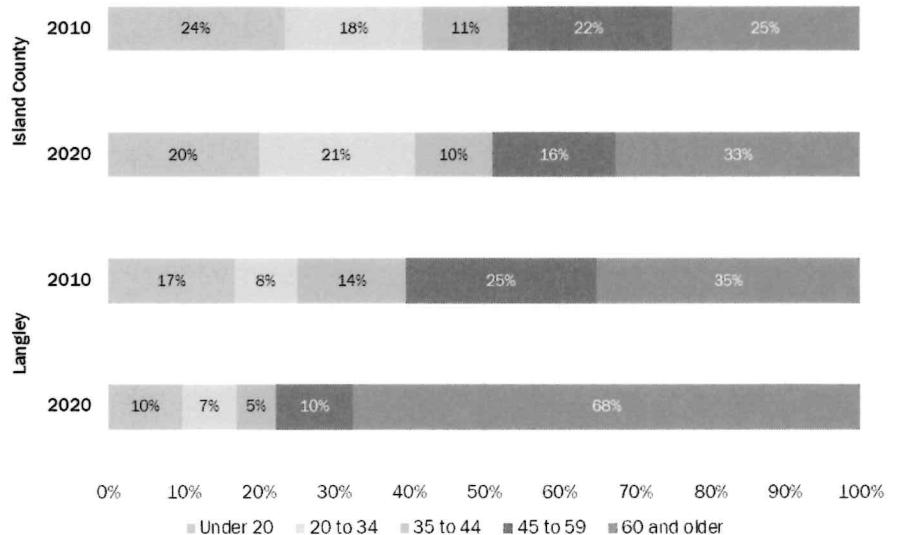
Source: US Census Bureau, ACS 2020 5-year



From 2010 to 2020, the share of adults aged 60 years or older increased by 33 percent. The City’s population under 20 years decreased by 7 percent during that same period. The City is increasingly supporting seniors, who will need more accessible and special housing types.

Exhibit 8: Median Age, City of Langley, Island County, 2010-2020

Source: US Census Bureau, ACS 2020 5-year



Household Characteristics

Average Household Size

Younger and older people are more likely to live in single-person households. People in their middle years are more likely to live in multiperson households (often with children).

In Langley, the average household size is lower than Island County, which may be a consequence of Langley's older population.

Exhibit 9: Average Household Size, City of Langley, Island County, 2010-2020

Source: US Census Bureau, ACS 2010 5-year, ACS 2020 5-year

| | 2010 | 2020 | % Change |
|----------------------|------|------|----------|
| Langley | 1.8 | 1.7 | 4.7% |
| Island County | 2.3 | 2.3 | 0.6% |

The average household size in both Island County and Langley remained mostly consistent from 2010 to 2020. This means there will likely be increased demand for smaller types of housing into the future.

Household Size Distribution

Langley has a higher share of one and two-person households than Island County, contributing to a lower household size than the County as a whole.

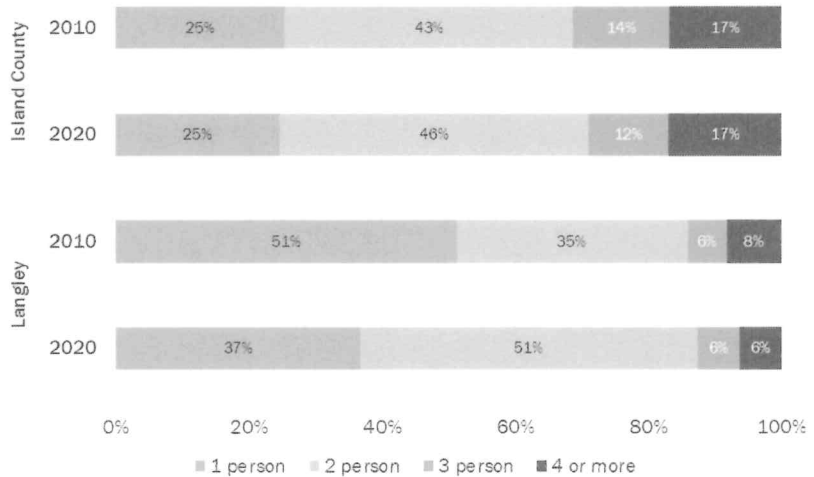
Langley has a higher proportion of one and two-person households than Island County overall.

Exhibit 10: Household Size, City of Langley, Island County, 2010-2020

Source: US Census Bureau, ACS 2010 5-year, ACS 2020 5-year

Langley saw substantial growth in two-person households and a large decrease in the number of one-person households between 2010 and 2020.

The distribution of household sizes in Island County remained relatively consistent during the same period.



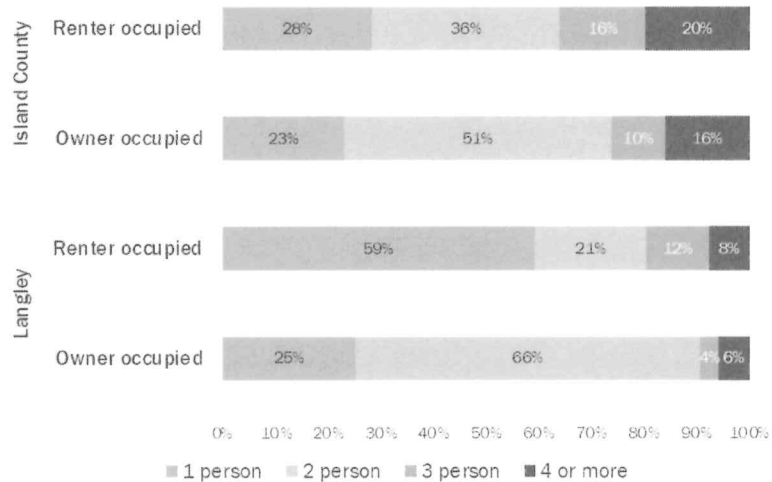
Household Size by Tenure

Rental housing in Langley is much more likely to be occupied by single occupants than in the County overall. Two-person households make up the majority of Langley owner-occupied housing. About 66 percent of occupied housing units in Langley are owner occupied and 34 percent are renter occupied.

In Langley, 59 percent of renter-occupied units are single-person households. In Island County, most renter households are occupied by two-person households.

In both Island County and Langley, two-person households represented the majority of owner-occupied housing.

Exhibit 11: Household Size, City of Langley, Island County, 2020
 Source: US Census Bureau, ACS 2020 5-year



Income Distribution

Income is an important determinant of housing choice, strongly influencing the type of housing a household chooses (e.g., single-family detached, duplex, or a building with more than five units) and household tenure (e.g., rent or own). The census defines income as “income received on a regular basis (exclusive of certain money receipts such as capital gains) before payments for personal income taxes, social security, union dues, Medicare deductions, etc. Therefore, money income does not reflect the fact that some families receive part of their income in the form of noncash benefits, such as food stamps, health benefits, subsidized housing.” In 2020, Langley's average retirement income was \$32,238 and 276 out of 668 households received retirement income (about 41%).

Median family income is often the metric used in affordable housing programs, but it does not account for the number of single-person households that exist in communities. For this reason, median household income is what will be referenced in this report.

Median Household Income

While the share of households earning above \$75,000 per year increased, Langley’s household income remained lower than in the County overall. This could be explained by the high number of retirees that are attracted to Langley.

The median income for the City of Langley is approximately \$8 thousand lower than Island County.

Exhibit 12: Median Household Income, City of Langley and Island County, 2020

Source: US Census Bureau, ACS 2020 5-year

\$62,381 **\$70,765**

City of Langley Island County

Household Income Distribution

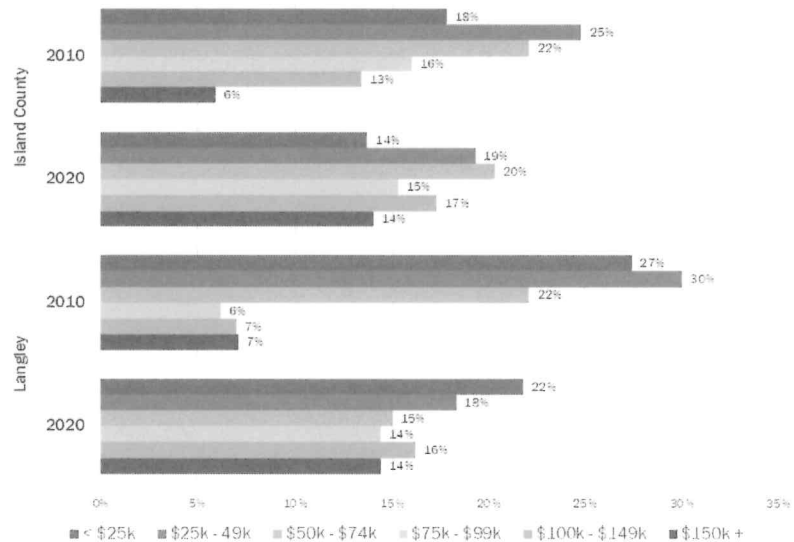
Household incomes are closely distributed in Langley and do not vary substantially from the Island County overall income distribution. However, there is notable change since 2010.

From 2010 to 2020, the share of Langley households earning less than \$75,000 annually fell. In contrast, the percent of Langley households earning greater than \$75,000 annually grew by more than 100 percent.

About 40 percent of Langley’s households earn less than \$50,000 annually, slightly higher than Island County. However, distributions between the two remained similar overall.

Exhibit 13: Income Distribution, City of Langley, Island County, 2010-2020

Source: US Census Bureau, ACS 2010 5-year, ACS 2020 5-year



Percent Change in Income Distribution

Langley has experienced growth in the upper income brackets (\$75,000 and above) since 2010. While part of this can be contributed to inflation, comparing these increases to neighboring geographies can provide insight into how the income distribution is changing in Langley. While several communities on Whidbey Island are experiencing growth in households earning above

\$100,000, with the exception of the Clinton area, Langley has seen the most consistent growth in income brackets earning above \$75,000 and decreases in lower income brackets.

Exhibit 14: Change in Household Income Distribution, City of Langley, 2010-2020

Source: ECONorthwest Calculations, 2006 – 2010 ACS 5-year, 2016 – 2020 ACS 5-year

| Income Range | Langley | Island County | Clinton | Coupeville | Oak Harbor | Freeland |
|-----------------|---------|---------------|---------|------------|------------|----------|
| < \$25k | -13% | -18% | -44% | -29% | -15% | -76% |
| \$25k - 49k | -34% | -16% | 71% | -19% | -11% | -40% |
| \$50k - \$74k | -26% | -1% | 10% | -32% | 29% | 2% |
| \$75k - \$99k | 153% | 3% | -9% | 13% | -13% | 29% |
| \$100k - \$149k | 151% | 38% | -34% | 170% | 61% | 144% |
| \$150k + | 118% | 154% | 55% | 577% | 274% | 212% |

Employment and Commuting

Understanding workforce/employment trends and commuting patterns can provide insights on the housing needs of workers today and into the future. Employment plays an important role in where people live, and it can influence where people move. If such factors indicate that many people are commuting into the city for work, it could indicate that the city does not have enough housing to accommodate its workforce or enough housing matching their needs and affordability levels.

Employment Projections

As of 2019, Langley has 386 working residents and about 562 workers that commute into the City for work (see Exhibit 15 below). Exhibit 12 shows employment projections for Island County and Langley. Using the employment allocation methodology outlined in the 2016 Island County Comprehensive Plan and the 2017 medium estimate for the 2036 Island County population (92,639 residents), Langley is expected to accommodate an additional 99 jobs by 2036. In 2036, Langley employees will represent approximately 2.7 percent of the total employment in Island County and almost 17 percent of South Whidbey employment. It is estimated that the distribution of jobs across sectors will not change significantly from 2012 to 2036 (see Exhibit 13). Given Langley’s aging population who are likely retired, the City will need to consider how to accommodate housing for younger, working adults in order to achieve its allocated job growth.

Exhibit 15: Employment Projections

Source: Island County Comprehensive Plan, 2016

| | | | Change 2012 to 2022 | |
|-----------------|--------|--------|---------------------|-------|
| | 2012 | 2036 | Percent | AAGR |
| City of Langley | 592 | 691 | 16.7% | 0.70% |
| Island County | 23,989 | 26,020 | 8.5% | 0.35% |

Employment by Industry

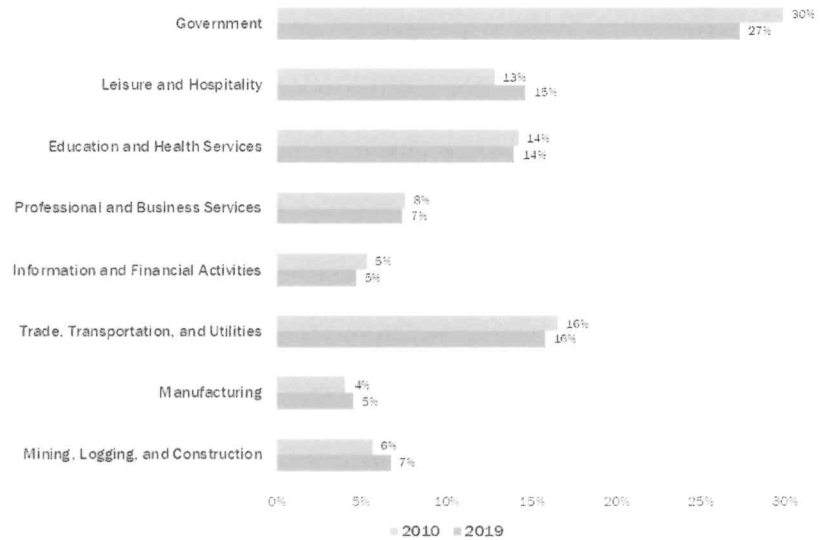
The distribution of Island County jobs by industry remained constant from 2010 to 2019, with the majority (90%) of residents working in the service sector.

Of the 17,400 Island County employees included in this data set, the majority (90%) work in the service sector in 2019, which includes government; leisure and hospitality; education and health services; professional services; information and financial activities; and trade, transportation, and utilities jobs. By contrast, only 10% of residents worked in producing goods (mining, logging, construction, and manufacturing).

The largest industry in the service sector was government, employing 27% of Island County residents in 2019.

Exhibit 16: Employment by Industry, Island County, 2010-2019

Source: Employment Security Department



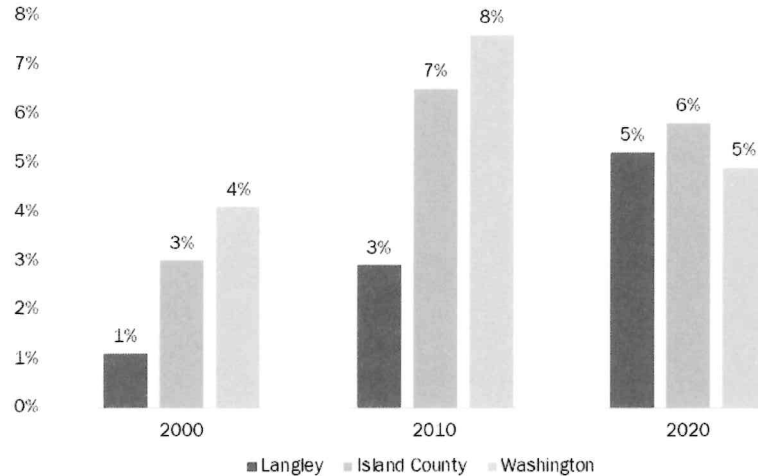
Unemployment

Unemployment in Langley has remained lower than the County and the State since 2000. However, it has grown by about 4 percent since 2000. Island County and the State both saw a substantial spike in 2010, likely because the economy was still recovering from the Great Recession, but it has started to decline as shown in 2020.

However, Langley's unemployment continued to grow between 2010-2020, reaching 5 percent. Retired persons are not considered to be unemployed.

Exhibit 17: Unemployment Rate, City of Langley, Island County, Washington State, 2000-2020

Source: US Census Bureau, 2000 Decennial Census, ACS 2010 5-year, ACS 2020 5-year



Commuting Patterns

The following map illustrates inflow and outflow characteristics of workers in the City of Langley. Outflow reflects the number of workers that are living in the City but are employed outside of it. Inflow measures the workers that are employed in the City but live outside the area. Interior flow reflects the number of workers that live and work in the City of Langley. This data is produced by the American Community Survey by coupling respondents' answers to questions about their residence and workplace locations.

- **There are fewer residents that leave the area for employment than nonresidents who commute into the area for work.** Roughly 562 workers come into the area for employment (inflow) while 359 residents leave the area (outflow) and 27 both live and work within the City (interior flow).
- Roughly 95 percent of the jobs in the City of Langley are filled by workers commuting into the area for employment.
- The average commute time for residents in the City of Langley is 31.8 minutes, and 62 percent drive alone. These are Langley residents who presumably commute to jobs outside the City. Eighty percent of workers commute within Island County. Of these workers, 39 percent of commuters commute less than 10 miles, 21 percent commute between 10 and 24 miles, and 30 percent commute between 25 and 50 miles.

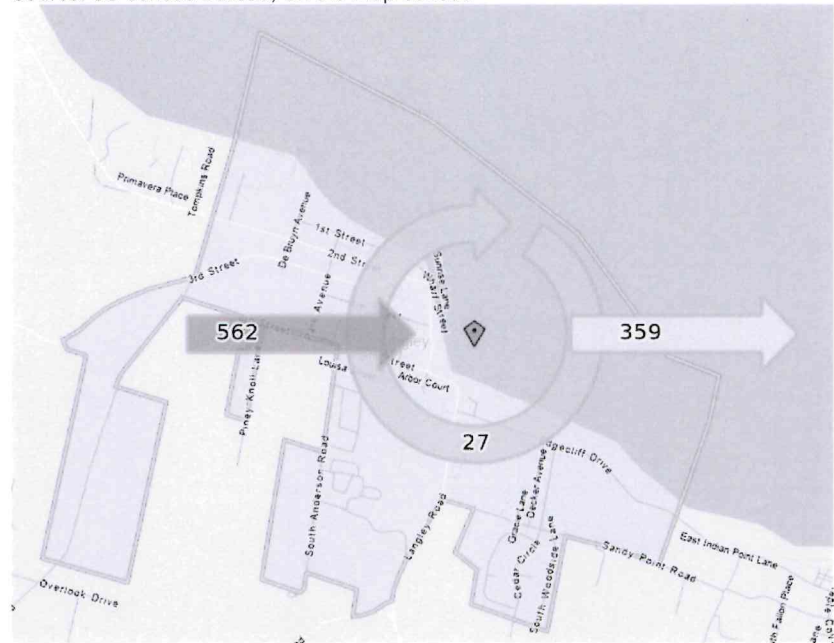
Most people who live in the City of Langley work outside the area.

Of the 386 working Langley residents, 7 percent live and work in the City. In comparison, 93 percent live in the City but are employed elsewhere.

Of the 589 employees who work in Langley, 95 percent live outside the City.

Exhibit 18: Commuting Flows, City of Langley, 2019

Source: US Census Bureau, On the Map Census



Housing Characteristics

This section provides an overview of housing trends in the City of Langley relative to Island County to better understand market conditions and their implications. Among these trends, it is important to look at housing unit production, type of housing available, housing sales prices, and vacancy rates since these indicators are key for comprehending housing needs.

Existing Housing Stock

Most of the existing housing stock in Langley is single-family detached but is more diverse than the County overall.

As of 2020 the City of Langley had about 768 existing dwelling units, an increase of 112 units since 2010.

Exhibit 19: Number of Dwelling Units, City of Langley, 2010–2020

Source: US Census Bureau, 2006 – 2010 ACS, 2016– 2020 ACS

| | |
|------------|------------|
| 654 | 768 |
| 2010 | 2020 |

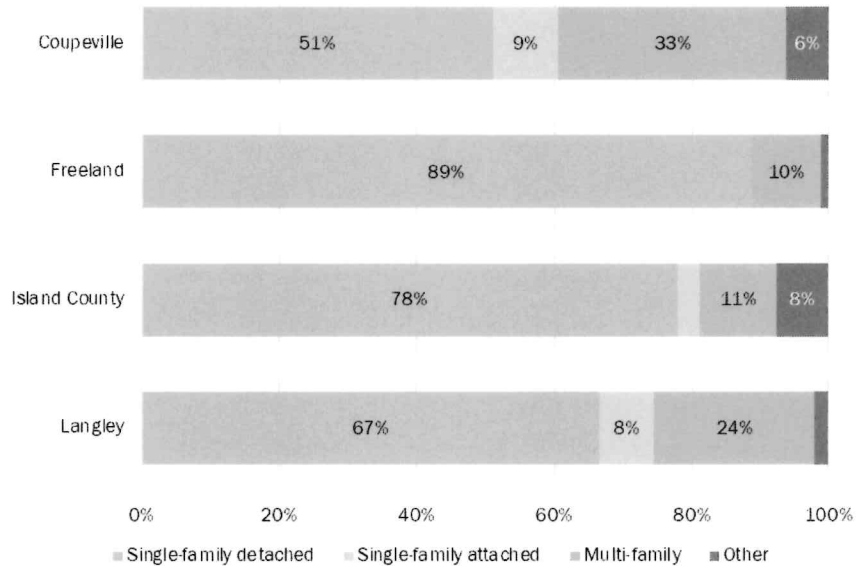
About 67 percent of the City's housing is comprised of single-family detached units, followed by multifamily units at 24 percent. Compared to Island County, Langley's housing stock has greater diversity since it includes fewer single-family detached units, more single-family attached units, and more multifamily units.

However, with the majority of Langley's housing stock being single-family detached, there is likely a shortage of units offered at a lower price point, such as townhomes or plex development. This means there is also likely a lack of housing for people who need or prefer to rent.

Assessor data was also used to gain insight into Langley's housing mix, considering ACS 5-year estimates will have a margin of error due to Langley's small size. Exhibit 18 shows a breakdown of Langley's housing stock, showing a much higher percentage of single-family (83 %). Other housing units are split between multifamily rental (MFR) units and ownership condominiums. There are approximately 140 fewer housing units when looking at the assessor's data.

Exhibit 20: Housing Mix, City of Langley, 2020

Source: US Census Bureau, 2016 - 2020 ACS



Note: Single-family attached is defined as a one-family house attached to one or more houses.

Exhibit 21: Housing Mix, Langley, 2022

Source: Island County Assessor

| Unit Type | Total Number of Units |
|----------------------------|-----------------------|
| Condominium | 81 |
| MFR (2-4 Units) | 22 |
| MFR (5+ Units) | 3 |
| SFR | 521 |
| Total Housing Units | 627 |

Housing Tenure

Housing tenure describes whether a dwelling unit is owner- or renter-occupied. Household tenure can be reflective of the housing conditions in a particular area (predominance of multifamily versus single-family homes).

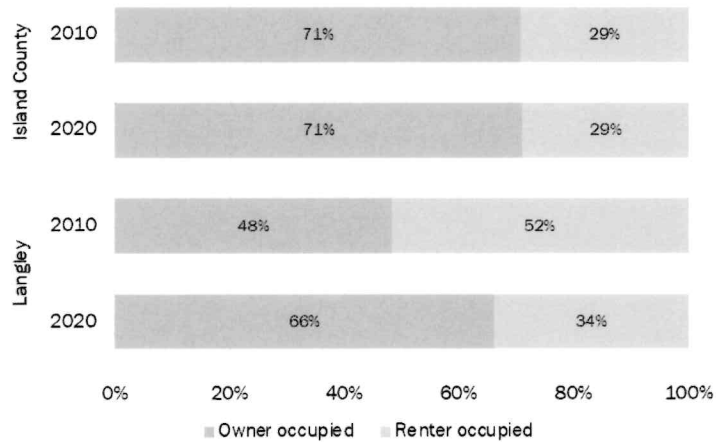
Most of the City’s housing stock is owner-occupied single-family detached housing.

Exhibit 22: Tenure by Occupied Units, City of Langley, 2020

Source: US Census Bureau, ACS 2020 5-year

About 66 percent of the City’s housing stock is owner occupied, slightly lower than the proportion of owner-occupied housing in Island County overall.

While the distribution in Island County remained consistent from 2010 to 2020, the percentage of owner-occupied homes in Langley grew 12%.

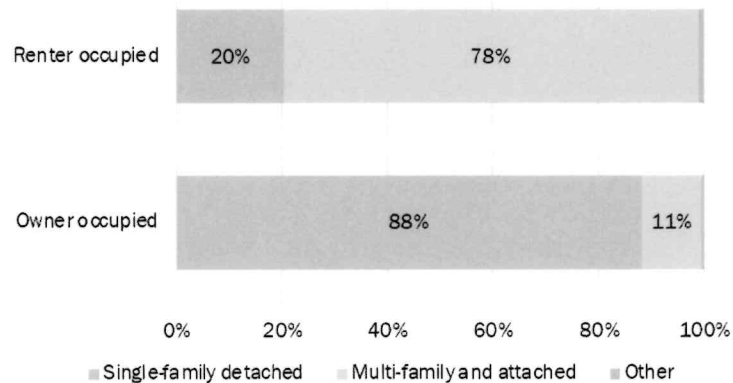


The majority (58%) of owner-occupied housing is comprised of single-family detached housing.

Multifamily housing comprises most (78%) of the rental housing.

Exhibit 23: Tenure by Type of Unit, City of Langley, 2020

Source: US Census Bureau, ACS 2020 5-year



Vacancy Rates

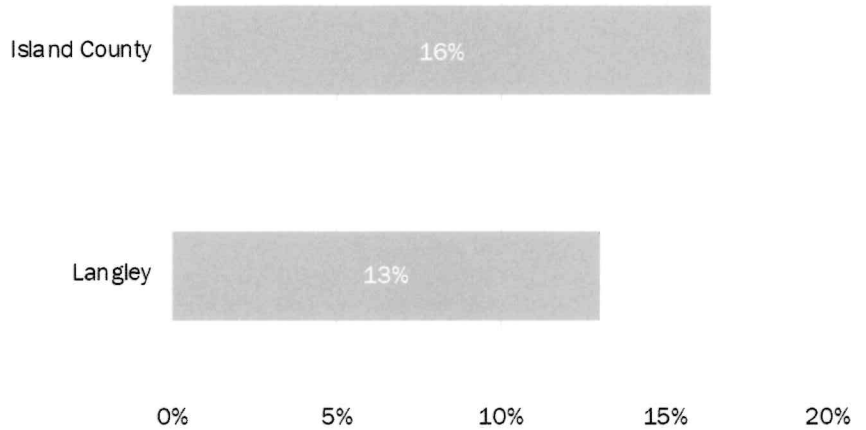
The Census defines vacancy as "unoccupied housing units [that] are considered vacant," and vacancy status is determined by "the terms under which the unit may be occupied, e.g., for rent, for sale, or for seasonal use only."

Vacancy rates are cyclical and represent the lag between demand and the market’s response to demand for additional dwelling units. Vacancy rates for rental and multifamily units are typically higher than those for owner-occupied and single-family dwelling units.

Compared to Island County, Langley has a slightly lower housing vacancy rate at 13 percent.

Exhibit 24: Housing Vacancy, City of Langley, and Island County, 2020

Source: US Census Bureau, ACS 2020 5-year



Vacancy by Reason

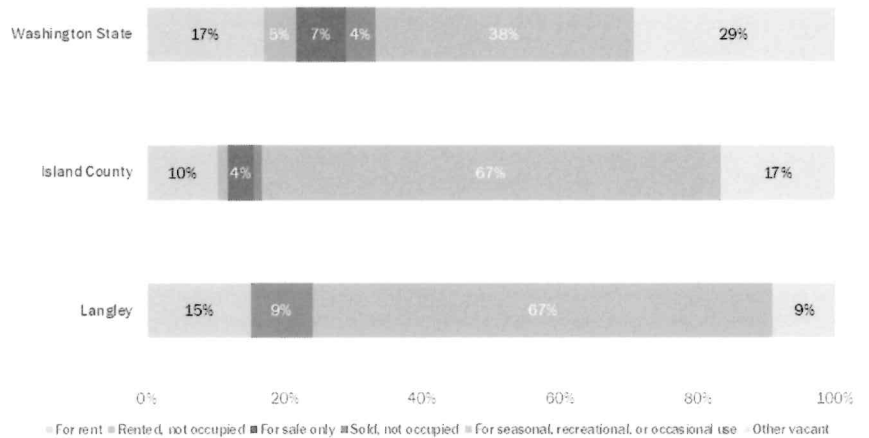
At the time of the 2020 data collection, Langley had 100 vacant homes.

Langley’s housing vacancy shows that approximately 67 percent of vacancies are due to seasonal, recreational, or occasional use. This is likely because Whidbey Island is a recreation and tourist destination and has a large share of vacation rentals and second homes.

The second-largest category, unoccupied housing for rent, made up 15 percent, or 15 vacant homes. This may be due to normal turnover in units (the Census represents a single point in time), or these units may be too expensive or otherwise unattainable to Langley residents.

Exhibit 25: Housing Vacancy by Reason, City of Langley, Island County, and Washington, 2020

Source: US Census Bureau, ACS 2020 5-year



Short-Term Rentals

Langley does regulate and monitor short-term rentals within the city limits. As of 2022, the city has 15 total permitted and active short-term rentals broken down into the categories shown in Exhibit 23. Type IV short-term rentals which are non-hosted and within residential districts are limited to no more than 30 issued permits per year.

Exhibit 26: Active Short-Term Rentals, City of Langley, 2022

Source: City of Langley Permit Data, 2022

| Short Term Rental Type | Type I (Rooms - Hosted) | Type II (B&B Inns - Hosted) | Type III (Commercial Districts - Hosted or Non-Hosted) | Type IV (Limited - Non-Hosted) |
|--------------------------|-------------------------|-----------------------------|--|--------------------------------|
| Number of Active Rentals | 3 | 2 | 3 | 7 |

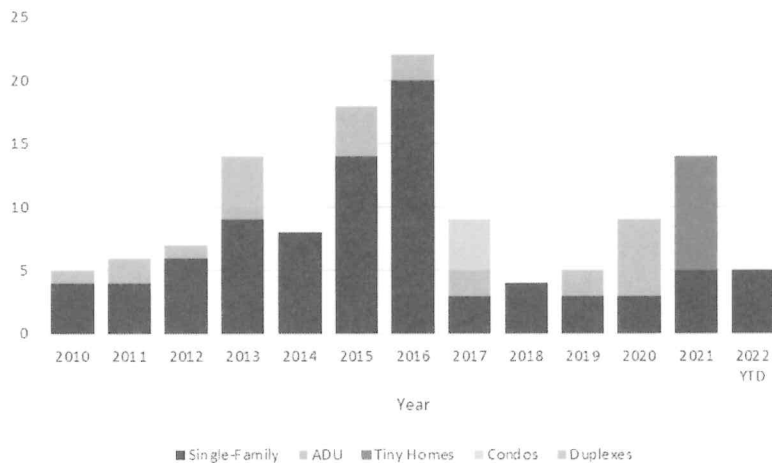
Residential Development Trends

Since 2010, Langley added 126 residential units. About 70 percent of new units were single-family detached and about 17 percent were Accessory Dwelling Units (ADUs).

In 2016, the City added 22 units, the largest increase in units in a one-year period. In 2021, the City added an affordable tiny home community formed by a local nonprofit known as THINC.

Exhibit 27: Year of Home Built, Langley, 2010 to 2022 (July)

Source: Source: City of Langley Community Planning & Building Department



There are a few factors that may have contributed to the focus on single-family detached development in Langley. First, an expensive housing market may have driven out households that might otherwise drive demand for more affordable housing forms such as condominiums or other middle housing types. Second, construction costs on the island have continued to rise, making multifamily development infeasible for many developers. Other barriers to more affordable housing types may have the cost of land, land use regulations, and other development costs. These barriers exist statewide but may be exacerbated by the unique geographies and development conditions on Whidbey Island.

Income-Restricted Housing Stock

An important component of any community’s housing inventory is the regulated affordable housing stock that is affordable to households earning lower incomes. Regulated affordable housing often has public funding that restricts the maximum incomes of the tenants or restricts the rents that can be charged to ensure that the housing is serving low-income households. This housing is sometimes referred to as government-assisted housing, referencing the public funds for the property. These restrictions vary by the type of funding and the affordability level of the property and typically have a limited duration – the property is affordable for a specified period of time.

Langley has three income-restricted rental housing developments, two of which are owned and operated by the Island County Housing Authority. The other development, Saratoga Terrace, is privately owned and operated.

In addition to the income-restricted rental housing, the City also has one income-restricted home ownership community called Upper Langley. All sixteen lots include deed restrictions and must be sold to income-qualified buyers who do not exceed 120% of AMI. Eleven housing units have been built in the community, two are in the process of obtaining building permits and inspections, and two lots remain vacant.

Exhibit 28: Income-Restricted Units, Langley, 2022

Source: National Preservation Database; Langley Comprehensive Plan

| | Affordability | Bedrooms | Demographic | Income Restricted | Total Units |
|-------------------------|------------------------------|---------------------------|----------------------------------|-------------------|-------------|
| Saratoga Terrace | only pay up to 30% of income | Unknown | Couples or Families | 16 | 22 |
| Glenhaven Condos | 80% AMI and below | Unknown | 55 and older | 9 | 12 |
| Brookhaven | 80% AMI and below | Studios, 1 and 2 bedrooms | 62 or older or with a disability | 40 | 40 |

Housing Market Trends in Langley

This section describes changes in sales prices, rents, and housing affordability in Langley in 2017 and more recently. Where data is available, this section compares Langley’s housing costs to Island County. In the past decade, housing costs in Western Washington have risen dramatically, buoyed by the strong economy, low housing production, and high demand for housing throughout the region. Price increases are also high since they are measured against the very low prices in 2010, which was a period of home price declines from the housing crisis and economic recession.

Changes in Housing Costs

According to Redfin, the average sales price for homes in the City of Langley over the past year was \$734,000; however, the median sale price in July 2022 was much lower at about \$600,000. Looking at the median sale price will account for outliers in the market that are likely skewing

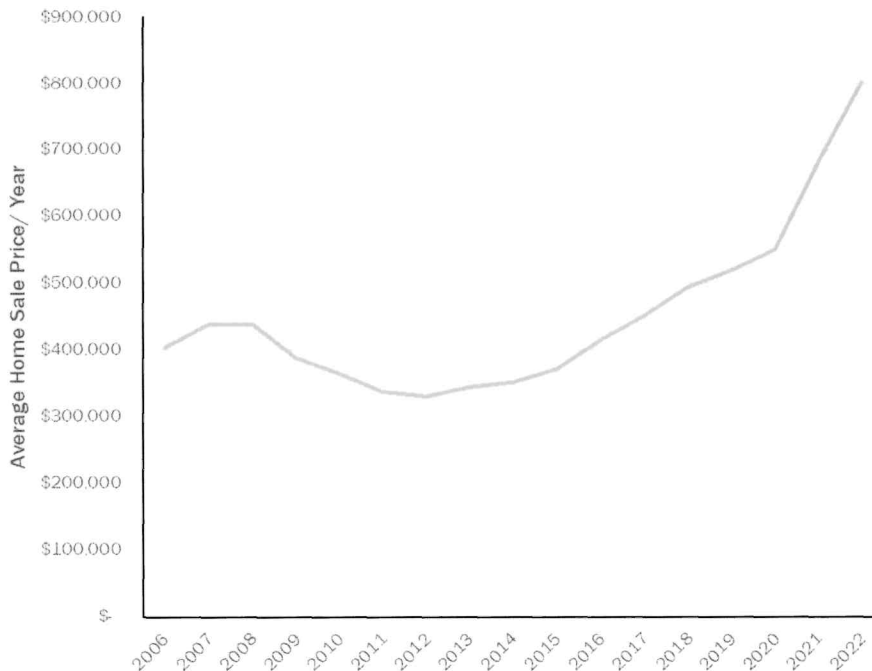
the average toward a higher price point (i.e., a few large waterfront properties selling between \$1.5 and \$3.5 million). Relative to neighboring cities and market areas, the City of Langley has one of the highest median home sale prices, second only to the Clinton area. Between 2017 and 2022, the median cost of a home in Langley increased by approximately 60 percent, from \$375,000 to \$600,000. The increase in home prices could be attributed to a limited supply and pandemic-related factors such as the increase in demand for homes outside of urban areas and the increase in remote work. The disruption brought on by the pandemic also impacted the supply chain and the labor market, dramatically increasing construction costs.

When looking at Langley’s 5-year median home sale price trends, it appears routine for the City to experience large fluctuations year-over-year, likely because it is a small market area with limited inventory that has a high degree of variability (i.e., location, lot size, square footage, year built, etc.).

Exhibit 26 shows the annual average of median home sale prices between 2006 and March 2022. This exhibit shows how Langley’s housing market took a dive during the Great Recession and took about 8 or 9 years to recover. Once it recovered around 2016, housing prices began increasing dramatically.

Exhibit 29: Yearly Average of Monthly Median Home Sale Prices, Langley, 2006-2022 YTD

Source: Zillow, ;ECONorthwest



The City of Langley has one of the highest median home sales prices in July of 2022 when compared to neighboring cities and the County (based on city limits).

Exhibit 30: Median Home Sale Price, Langley and Comparison Geographies, July 2022

Source: Redfin

| | | | | | |
|---------------|---------------|---------------|---------------|---------------|----------------|
| \$600K | \$732K | \$850K | \$655K | \$506K | \$540K |
| Langley | Clinton | Freeland | Coupeville | Oak Harbor | Whidbey Island |

Rental Housing

The median gross rent (baseline rent before any additional utility or amenity costs) was \$964 in 2020 in Langley and is nearly \$300 less than Island County's median gross rent.

Exhibit 31: Median Gross Rent, City of Langley and Island County, 2016-2020

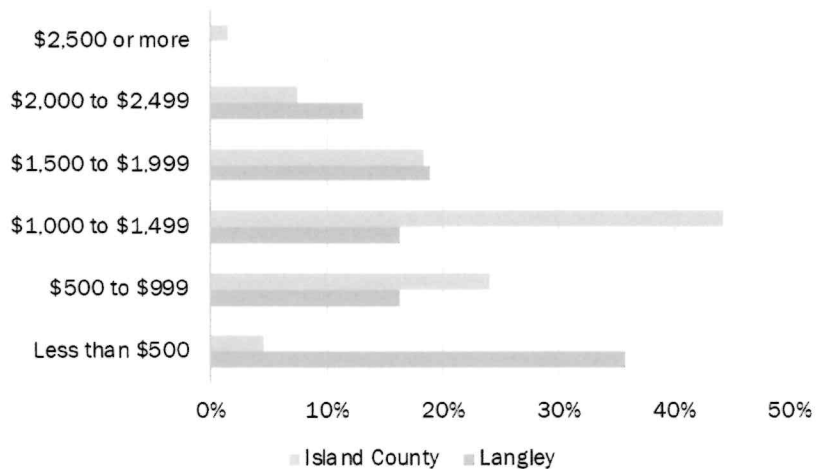
Source: US Census Bureau, ACS 2020 5-year

| | | | | | |
|--------------|--------------|---------------|---------------|---------------|----------------|
| \$964 | \$894 | \$1328 | \$1096 | \$1250 | \$1272 |
| Langley | Clinton | Freeland | Coupeville | Oak Harbor | Whidbey Island |

Of the 222 households occupying rental units, about 35 percent pay less than \$500 per month in rent, compared to about 5 percent in Island County. There are approximately 50 rental units across two developments owned by the Island County Housing Authority in Langley that may help explain lower rent prices, given how small the rental market is in Langley.

Exhibit 32: Gross Rent, City of Langley and Island County, 2016-2020 ACS

Source: US Census Bureau, ACS 2020 5-year



Rent costs noted in Exhibit 29 and Exhibit 30 are the 2020 ACS 5-year estimates. Since this data lags and has a high margin of error, we typically prefer to include an analysis of current market rates using another platform, Co-Star. However, due to Langley's small market area and limited and older supply of multifamily housing, rental trend data is not available to further supplement the ACS data.

Housing Affordability

Housing costs are typically the largest portion of a household budget. “Housing costs” typically include mortgage or rent payment, utilities, interest, and insurance. The Department of Housing and Urban Development’s guidelines indicate that households paying more than 30 percent of their income on housing experience “cost burden” and households paying more than 50 percent of their income on housing experience “severe cost burden.” Using cost burden as an indicator is one method of determining how well a city is meeting its community need to provide housing that is affordable to all households in a community. Housing cost burden can put low-income households in vulnerable situations and force them to make trade-offs between housing costs and other essentials like food, medicine, or transportation. This unstable condition can also lead to rental evictions, job instability, school instability for children, and homelessness. Cost burdening for owner-occupied households is less common because mortgage lenders typically ensure that a household can pay its debt obligations before signing off on a loan.

The Department of Housing and Urban Development (HUD) sets income limits each year to establish eligibility for its assisted housing programs and to define an area’s Median Family Income (MFI).⁶ HUD’s standard calculation for 100 percent MFI is based on a family of four persons; however, Langley’s average household size is much smaller than that, so ECONorthwest adjusted HUD’s income limits to a family of two persons. As of 2021, the median family income for Island County was \$63,813 for a family of two.⁷ Exhibit 31 below shows the assumptions of what households in the County can reasonably afford to pay on their housing costs without being cost burdened.

Cost-Burdened Households

About 29 percent of Langley’s households are cost burdened and 12 percent are severely cost burdened. In total, 41 percent of households in Langley are considered to be cost burdened to some degree. When analyzing by tenure, in total, 61 percent of renter households are cost burdened and 21 percent of all renter households are severely cost burdened. As noted above, homeowners are typically less cost burdened than renters, which remains true in Langley. However, 32 percent of all homeowners are cost burdened.

⁶ MFI is similar to the Area Median Income (AMI) and these terms are often used interchangeably.

⁷ HUD: Office of Policy Development and Research; 2022 Income Limits

Exhibit 31: Number of Cost-Burdened Households, Langley, 2020

Source: U.S. Census Bureau, ACS 5-year estimates, Tables B5070 (Renters) and B25091 (Owners); U.S. Census Bureau, 2000 Decennial Census (SF 3), Tables H069 (Renters) and H094 (Owners).

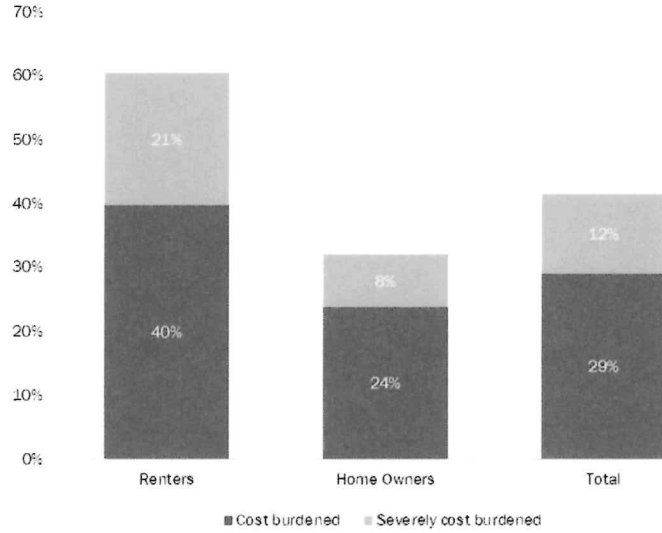


Exhibit 32 below shows the change in cost-burdened households between 2000 and 2020. Overall, more households in Langley have become cost burdened since 2000, but there was no change for renters between 2010 and 2020 and the number of cost-burdened homeowners decreased.

Exhibit 32: Change in Cost-Burdened Household, Langley, 2000-2020

Source: U.S. Census Bureau, ACS 5-year estimates, Tables B5070 (Renters) and B25091 (Owners); U.S. Census Bureau, 2000 Decennial Census (SF 3), Tables H069 (Renters) and H094 (Owners).

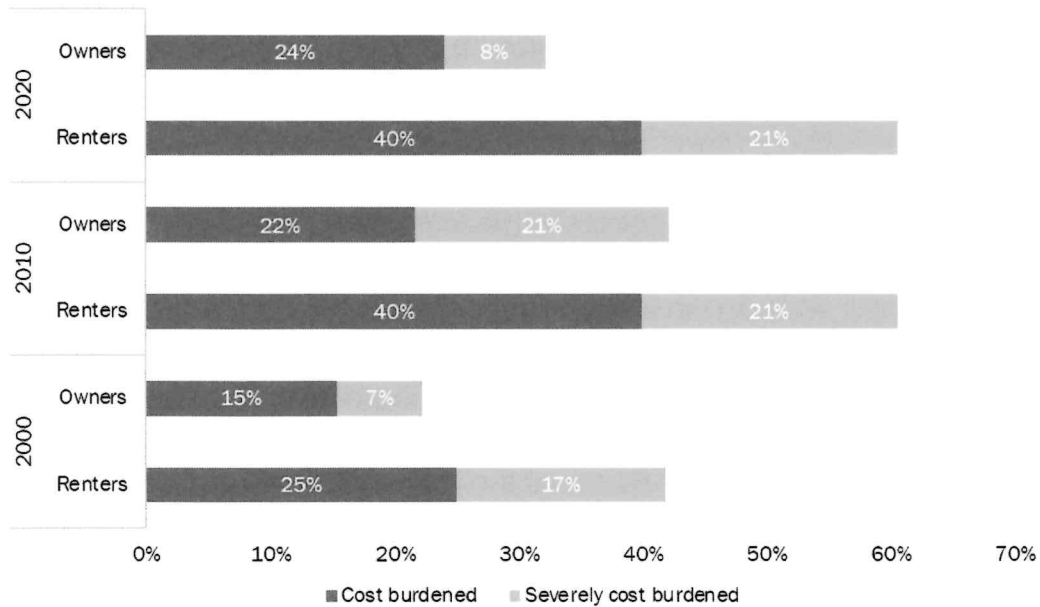


Exhibit 33 shows Langley’s cost-burdened households relative to Island County and Washington. Langley’s households are more cost burdened than households in Island County and in Washington overall, especially when looking at renter households.

Exhibit 33: Percent of Cost-Burdened Households, Langley, Island County, and WA State, 2020

Source: U.S. Census Bureau, ACS 5-year estimates, Tables B5070 (Renters) and B25091 (Owners); U.S. Census Bureau, 2000 Decennial Census (SF 3), Tables H069 (Renters) and H094 (Owners).

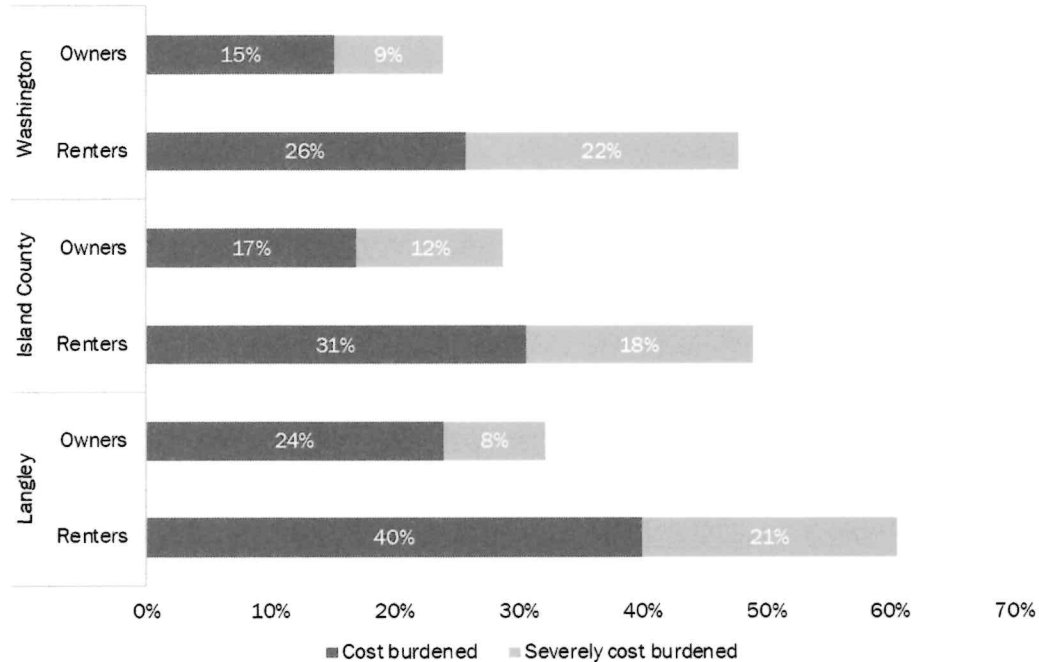
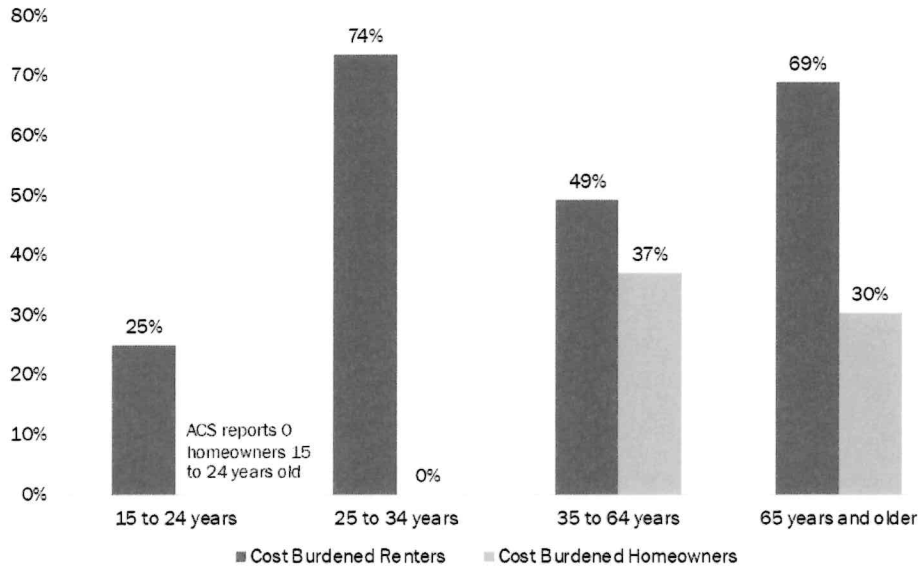


Exhibit 34 shows Langley’s cost-burdened households broken down by age and tenure. Most of Langley’s cost-burdened households are renters between the ages of 25 and 34 years old, closely followed by renters aged 65 and older. Since Langley is a small city with a large population of older residents, it’s likely that many are retirees who have built wealth over time held in other assets that are not typically reported as income. These households may be more comfortable making their housing payments than it appears in the data.

Exhibit 34: Cost-Burdened Households by Age and Tenure, Langley, 2020

Source: U.S. Census Bureau, ACS 5-year estimates, Tables B5072 (Renters) and B25093 (Owners); U.S. Census Bureau, 2000 Decennial Census (SF 3), Tables H069 (Renters) and H094 (Owners).



Attainability

Exhibit 35 below shows that a household of two people earning the median family income (MFI) for Island County (\$63,813) can afford a monthly rent of about \$1,600 or a home roughly valued between \$193,000 and \$228,000.

The median home sales price in Langley in 2022 is about \$600,000. A household would need to earn about \$198,000, or about 310 percent of MFI, to afford the median sales price of housing in Langley. About 14 percent of Langley’s households have income at or above \$150,000, this suggests that less than 14 percent of households can afford the median sales price.

Given that we cannot understand market-rate rents in Langley due to the limited data available, it is unknown whether rents in Langley are affordable to any income brackets. Anecdotally, in a scan of the few available units for rent on Zillow.com and Apartments.com, rent for a 2-bedroom is anywhere between \$1,900 and \$2,600. This is unaffordable to households earning 120 percent MFI or below.

Exhibit 35: Financially Attainable Housing, by Median Family Income (MFI) for a family of two, Island County (\$63,813), 2021

Source: US Department of Housing and Urban Development, Island County, 2021.

If your household earns...

| 30% of MFI | 50% of MFI | 80% of MFI | 100% of MFI | 120% of MFI |
|------------|------------|------------|-------------|-------------|
| \$19,200 | \$31,950 | \$51,050 | \$63,813 | \$76,600 |

Then you can afford...

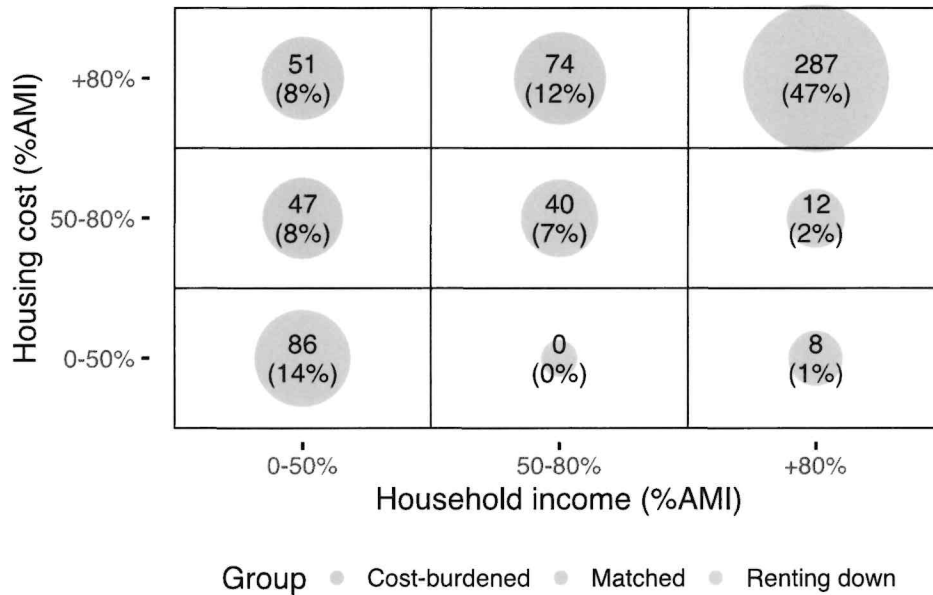
| 30% of MFI | 50% of MFI | 80% of MFI | 100% of MFI | 120% of MFI |
|------------------|------------------|------------------|------------------|------------------|
| \$500 | \$800 | \$1,300 | \$1,600 | \$1,900 |
| monthly rent | monthly rent | monthly rent | monthly rent | monthly rent |
| OR | OR | OR | OR | OR |
| \$58,000 | \$97,000 | \$155,000 | \$193,000 | \$232,000 |
| \$69,000 | \$114,000 | \$182,000 | \$228,000 | \$274,000 |
| home sales price | home sales price | home sales price | home sales price | home sales price |

Affordability

Affordability trends are represented as a matrix, with the y-axis representing housing costs as a percent of Area Median Income (AMI) and the x-axis representing household incomes as a percent of AMI. Where incomes match costs, we term these households “matched.” When high-income households pay below their income bracket toward housing costs, we define this as “renting down.” The inverse of renting down is “cost burdened,” households paying more than 30 percent of household income on housing costs.

Exhibit 36: Affordability Trends, Langley

Source: ECONorthwest



Source: CHAS 2015-2019

Exhibit 36 illustrates that Langley has a need for housing affordable to households earning 80 percent or less of AMI and higher-end housing for households earning 80 percent or more of AMI.

Exhibit 36 shows that some lower-income households live in housing that is more expensive than they can afford because affordable housing is not available. These households are cost burdened. This situation is very apparent for households with incomes less than 50% of AMI (0-50% of AMI). The housing type that would be affordable to these lower-income households are income-restricted government-subsidized housing, multifamily units, and more affordable single-family home types (i.e., tiny homes, cottages, manufactured housing).

Some higher-income households choose housing that costs less than they can afford. This may be the result of the household's preference, or it may be the result of a lack of higher-end and luxury housing that would better suit their preferences. These households are typically renting down. This phenomenon is very apparent with households with 80% or more of AMI (+80% of AMI). The type of housing that higher-income households need is higher-end and luxury housing, including single-family detached housing, single-family attached housing (i.e., townhomes and duplexes) and luxury multifamily housing (including condominiums).

Future Housing Needs

This section summarizes population projections and housing needs analysis results. The housing needs results provide the total future housing units needed to accommodate future population distributed across income levels. This section is separated into two parts:

- Housing Demand Factors
- Housing Needs Analysis

Housing Demand Factors

Housing demand is determined by the preferences for different types of housing (e.g., single-family detached or apartment) and the ability to pay for that housing (the ability to exercise those preferences in a housing market by purchasing or renting housing). Preferences for housing are related to demographic characteristics and changes, in addition to personal preferences. The ability to pay for housing is based on income and housing costs. The following section analyzes and discusses these factors.

Many demographic and socioeconomic variables affect housing choice. However, studies about housing markets indicate that the age of the householder, size of the household, and income are most strongly correlated with housing choice.⁸

Age of householder is the age of the person identified (in the Census) as the head of household. Households make different housing choices at different stages of life. Generational trends, such as housing preferences of baby boomers (people born from about 1946 to 1964) and millennials (people born from about 1980 to 2000) are discussed below, but in general, homeownership rates increase as age increases.

Size of household is the number of people living in the household. Younger and older people are more likely to live in single-person households. People in their middle years are more likely to live in multiperson households (often with children).

Income is the household income. Income is probably the most important determinant of housing choice for all age categories. Income is strongly related to the type of housing a household chooses (e.g., townhome, stand-alone single-family home, or apartment complex) as well as household tenure (e.g., rent or own). Homeownership rates increase as income increases, and renters prefer multifamily housing over single-family homes.

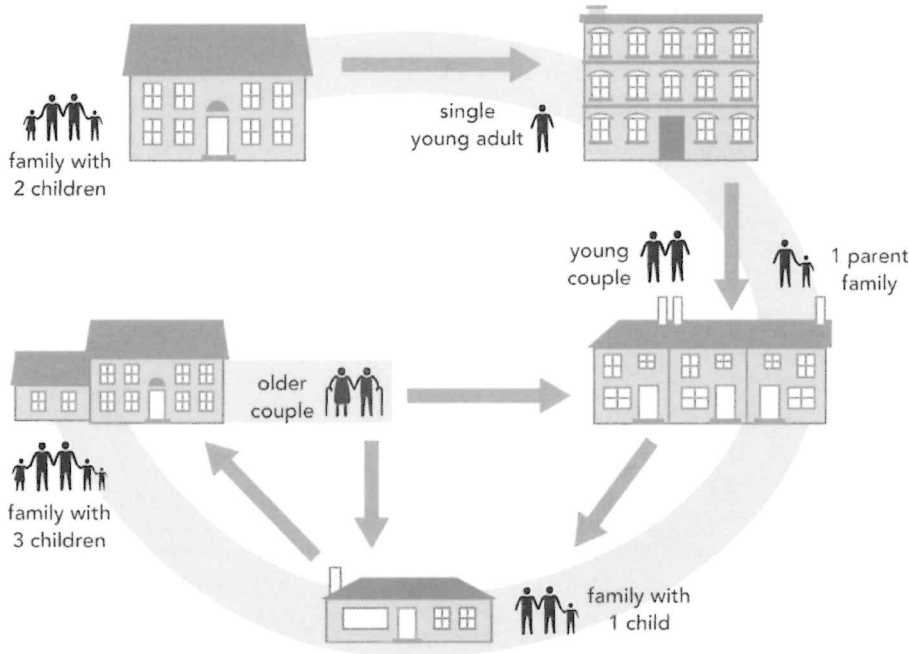
An individual's housing needs change throughout their life, with changes in income, family composition, and age. The types of housing needed by a twenty-year-old college student differs from the needs of a forty-year-old parent with children or an eighty-year-old single adult. As Langley's population continues to age, different types of housing will be needed to

⁸ Source: 1996. Households and Housing. New Brunswick, NJ: Center for Urban Policy Research.

accommodate older residents. This cycle of changing housing needs by age is depicted in the illustration below.

Exhibit 37. Illustration of Household Variations by Housing Types

Sources: ECONorthwest, adapted from Clark, William A. V. and Frans M. Dieleman. 1996. Households and Housing. New Brunswick, NJ: Center for Urban Policy Research.



Housing Needs

The following section details ECONorthwest’s calculations of need, underproduction, and affordability for Langley.

Langley’s population is expected to reach 1,245 by 2036, representing an overall growth of just over 8 percent. We estimate Langley’s future housing needs based on the forecasted population growth through 2036, reallocated based on OFM’s medium estimates for Island County (see Exhibit 2). Housing Need is calculated as the added population divided by the average household size to equal added households. We then multiply added households by a factor of 1.1,⁹ plus the ratio of vacation homes added to housing units added.

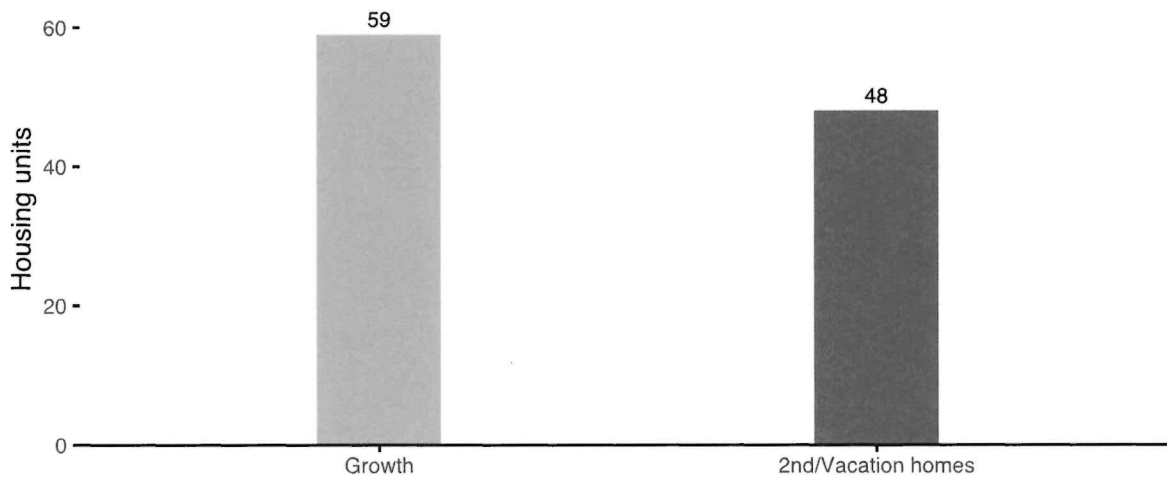
⁹ Since the 1960s, the U.S. has created about 1.10 housing unit for every household that has formed. Households form when people move into a new area, when children leave their parents’ homes, or when roommates come together or split up. A ratio higher than 1:1 allows for a natural amount of vacancy, the presence of second homes, and units falling into obsolescence.

To accommodate the City’s forecasted population by 2036, an additional 59 housing units are needed. Considering that Langley is a popular tourist destination and many of the City’s housing units have likely shifted to short-term rental use or have become second homes (see Exhibit 22), the City’s future housing needs should also account for the demand of short-term rentals units and second homes in order to adequately meet its housing needs.

Therefore, Langley will also need to accommodate 48 additional housing units so there are enough units to accommodate future growth and account for the units lost to second and vacation homes. ECONorthwest used ACS data to determine that between 2010 and 2020, the City’s housing stock increased by 65 units while the total second and vacation homes stock increased by 58 units, creating a ratio of 0.89 of second and vacation homes to total housing units added. Accounting for second homes and short-term rentals will allow Langley to plan for a healthy growth that allows its households to move between housing units that meet their household needs and affordability levels. Without projecting for second homes and short-term rentals in a community like Langley, second homes and short-term rentals will continue to grow and create imbalances. In total, Langley will need to plan for a total of 107 housing units by 2036.

Exhibit 38: Housing Need, Langley, 2036

Source: OFM 2020 Population Estimate; Island County Population Forecast for Langley; ACS 5-year 2016-2020; ECONorthwest



Housing Need Distribution

While understanding the total number of housing needs required to meet the City’s population forecast is an important step in planning for the future, it’s also important to understand how the housing units should be distributed among income earners to ensure there are enough units attainable for each household.

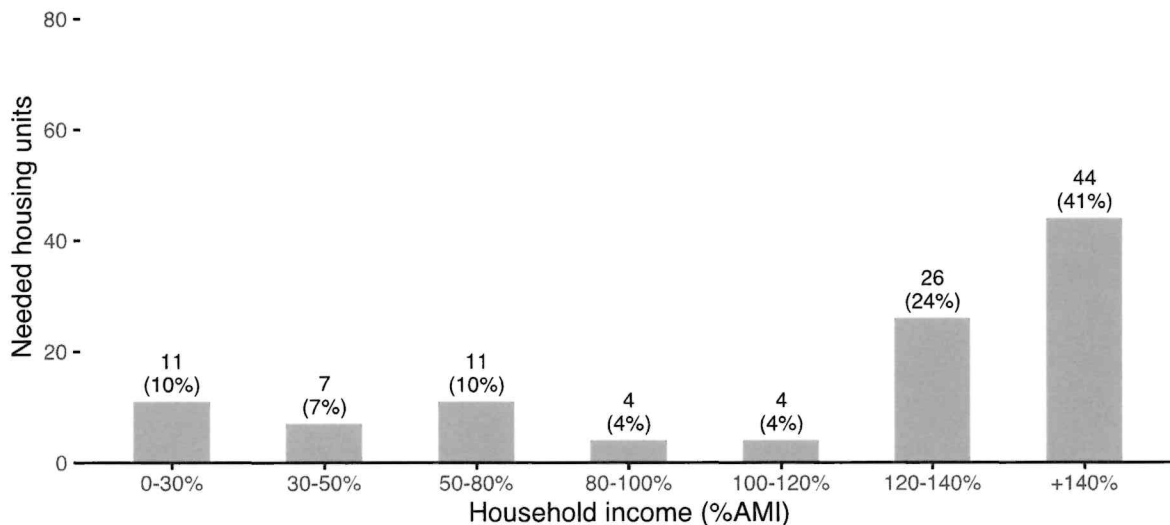
The housing need projections shown in the exhibit below are derived using the most recent distribution of households by percent of AMI in Langley. The analysis then accounts for current and future household sizes at the city level to better understand nuances of how housing need

by income can shift over time as household sizes and housing affordability change. Exhibit 39 shows Langley’s housing need by income. The number in each income bracket represents the number of housing units the City should plan to accommodate to meet the specific housing needs of Langley’s residents. Because forecasting incomes at the household level over time can be challenging at best, and misleading at worst, this data evaluates housing need assuming current income distributions remain constant. Therefore, you will see a greater number of future units needed for those making above 100 percent AMI because that reflects Langley’s current income mix. The City experienced tremendous growth in households earning greater than \$75,000 annually between 2010 and 2020 (see Exhibit 10).

The forecast housing need by income category is likely to vary depending on future policy choices. That is to say that if cities do not take meaningful action to increase housing production, and affordability worsens due to demand from higher-income households outpacing supply of total housing units, many low-income households would face displacement and the forecasted need for lower-income households would likely be lower. The ultimate income distribution in 2036 will be the result of regional housing trends and policy decisions made at the local level.

Exhibit 39: Housing Need by Income Distribution, Langley, 2036

Source: OFM 2020 Population Estimate; ACS 5-year 2016-2020; CHAS 2015-2019; ECONorthwest



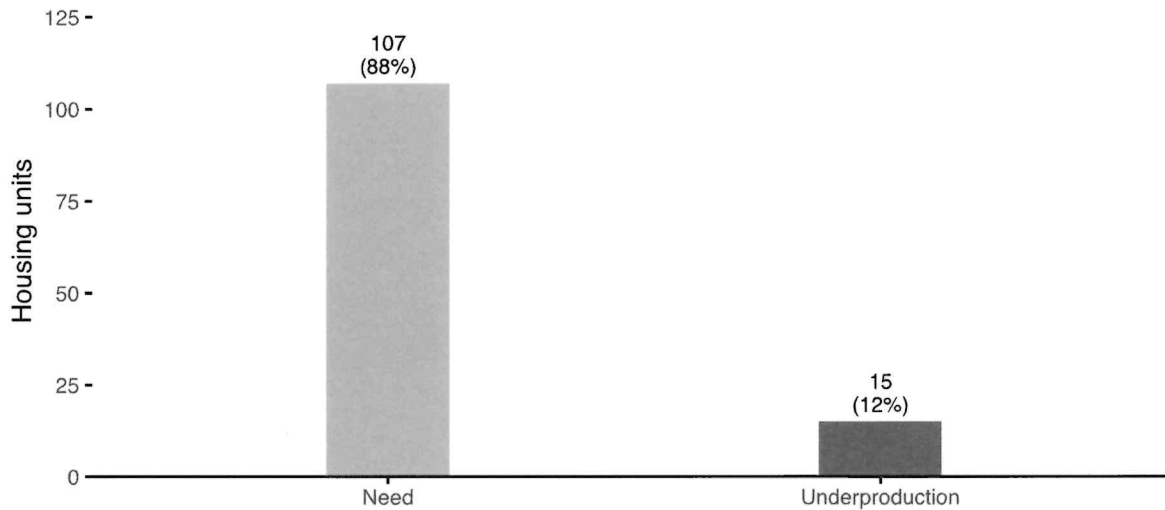
As Exhibit 39 demonstrates, 70 percent of units needed between 2020 and 2036 should be affordable to households earning more than 100% of AMI. This is helpful since new market-rate housing tends to be developed at prices and rents that are affordable to higher-income households. When an area does not have enough housing priced for higher-income households, these households “rent down” and occupy units that would be appropriately priced for lower-income households, thereby increasing competition for low-cost housing units. All cities need a range of housing choices – of different sizes, types, and prices – to accommodate the various needs and incomes of residents.

Underproduction

ECONorthwest's approach to estimating future housing needs is unique in that it also accounts for the City's underproduction of housing units relative to the number of households formed in Langley.¹⁰ Current underproduction is calculated as the difference between *existing* stock (minus second and vacation homes) and 1.1 multiplied by the current number of households. Exhibit 40 shows Langley's total housing need and the number of units needed to account for the previous underproduction of housing units (15).

Exhibit 40: Langley's Underproduction Estimates

Source: ECONorthwest; OFM April 1 Estimates; ACS 5-year 2016-2020; CHAS 2015-2019

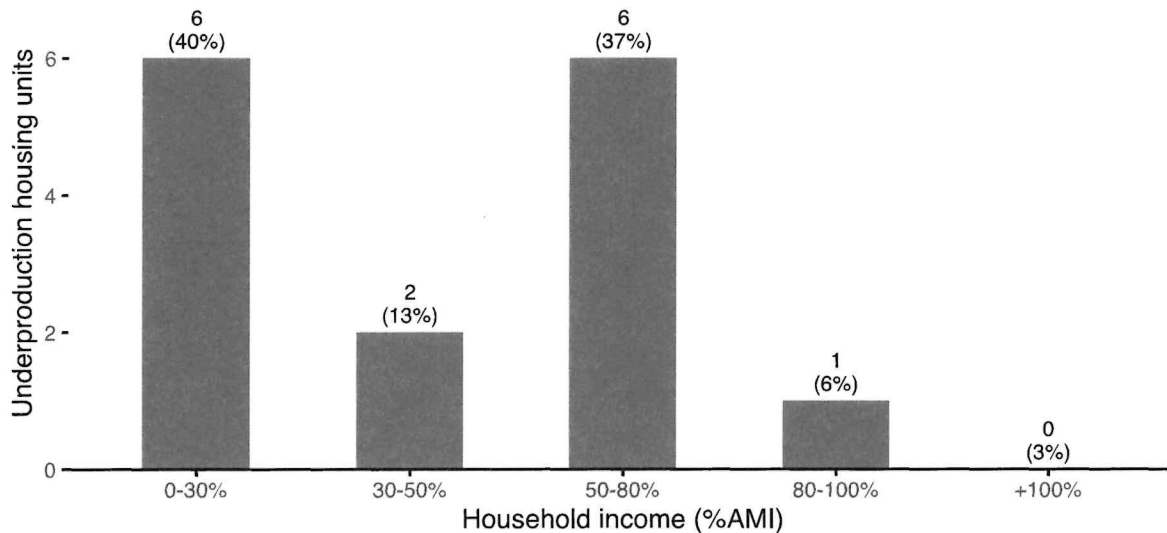


We can look at the combination of underproduction and future need to get a full sense of the 122 housing units Langley will need to produce over the coming decades in order to meet future demand and provide sufficient housing to accommodate unmet *existing* need.

¹⁰ Since the 1960s, the U.S. has created about 1.10 housing unit for every household that has formed. Households form when people move into a new area, when children leave their parents' homes, or when roommates come together or split up. A ratio higher than 1:1 allows for a natural amount of vacancy, the presence of second homes, and units falling into obsolescence.

Exhibit 41: Underproduction Distributed, Langley

Source: ECONorthwest; ACS 5-year Estimates 2016-2020; CHAS 2015-2019



Source: ACS 5-year 2016-2020, CHAS 2015-2019

Summary of Existing Housing Policies

This section will include a review of key housing policies and programs and a high-level analysis of their use since implementation. It consists of two parts:

- Review of previous City documentation on housing issues, including the following:
 - Survey results from the 2018 Housing Survey
 - 2018 Comprehensive Plan Housing Element and Implementation to date
 - 2021 Housing Challenges Report prepared by the Affordable Housing Working Group
- Review of key housing policies and programs and an analysis of their use and possible barriers and opportunities. Policies reviewed include:
 - 2019 code amendments that focused on increasing housing types such as duplexes, ADUs, and tiny homes, as well as increased densities
 - Multifamily Infill Code

Summary of City Documentation on Housing Issues

Langley's Housing Action Plan will be guided by a few of the City's recent key documents. This section summarizes the City's previous documentation on housing issues, including a Housing Survey distributed through utility bills used to inform the 2018 Comprehensive Plan Update,

the 2018 Langley Housing Element, and the 2021 Affordable Housing Challenges Report prepared by the Planning Advisory Board and the Affordable Housing Working Group.

2018 Housing Survey

In 2018, the City conducted a housing survey to help inform their Housing Element Update. The responses provided were compelling, validating many of the findings in this Housing Needs Assessment. The survey highlighted several areas of concern, documented below.

- 76 percent of survey respondents felt there were not enough housing options for renters.
- 62 percent of survey respondents felt there were not enough options for homeowners.
- 66 percent of respondents who own businesses in Langley reported that their employees face housing-related issues.

Respondents specifically expressed concerns related to the following:

- Lack of multifamily development, feeling that more apartments would help ease the pressure on renters.
- Wages offered for service jobs do not align with housing costs for rental or ownership. However, even compensation for jobs outside the service industry are unable to keep pace with housing costs, such as teachers and postal workers.
- Housing costs are also too high for middle-income families.

Langley Comprehensive Plan 2018 Housing Element

The policies found in Langley’s Housing Element will provide a foundation for strategies and recommendations in the Housing Action Plan. Below is a summary of key goals and policies that should be further built upon in the Plan, especially considering the Housing Needs Assessment findings.

Exhibit 42: Summary of Key Housing Policies, Langley 2018 Housing Element

Source: City of Langley Comprehensive Plan, 2018

| | |
|--|--|
| <p>Goal H-1: Innovative and Diverse Housing - provide a mix of single-family homes, duplexes, condominiums, apartments, town houses, tiny homes, ADUs, and housing that allows people to age in place</p> | <p><i>H-1.2: Encourage developers to design and build innovative housing options, including creative housing alternatives for individuals at each stage of life.</i></p> <p><i>H-1.3: Enable the 'missing middle' housing typology that includes row housing, town houses and small-scale apartments to be developed as infill within existing single-family neighborhoods.</i></p> <p>Implementation: In 2019 the City expanded allowances for duplexes, ADUs, and tiny homes in residential zones. In 2020, the City also adopted a Multifamily Infill Code Overlay which increased densities to allow for and incentivize more diverse typologies.</p> |
| <p>Goal H-2: Character and Density - seek opportunities to ensure that various types</p> | <p><i>H-2.1: Expand the areas where multifamily residential housing is permitted.</i></p> <p><i>H-2.2: Encourage attached and detached ADUs in residential zones.</i></p> |

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| <p>and densities of housing are permitted in sufficient numbers to meet projected housing needs.</p> | <p>Implementation: In 2019 the City expanded allowances for ADUs and tiny homes in residential zones, including an allowance for duplexes to also utilize ADUs. In 2021, Langley adopted a multifamily infill development code that permits multifamily infill housing—including triplexes—in two single-family zone districts, RS5000 and RS7200 and the Residential Mixed (multifamily) zone district. Allowances were also expanded to the Neighborhood Business zone district.</p> |
| <p>Goal H-4: Housing Affordability- enable the opportunity for affordable housing for a diversity of residents within the city of Langley.</p> | <p><i>H-4.1: Explore innovative techniques that enable increased housing affordability such as ADUs, a housing trust fund, inclusionary zoning, density bonuses, smaller lot size, elimination of minimum lot size with appropriate open space, expediting permit processing, and exempting Real Estate Excise Taxes (REET) to qualified sellers; incentives such as reduced or waived connection fees and reduced parking requirements, form-based codes, mixed-use planned unit development, and other provisions to be determined.</i></p> <p>Implementation: The City reduced parking requirements for ADUs in the 2019 code updates and reduced parking requirements for multifamily development through the Multifamily Infill Overlay adopted in 2020. Langley is also exploring an inclusionary zoning ordinance as part of the Housing Action Plan grant. Work will be completed in the spring of 2023. Additionally, the City is in the process of adopting a utility connection fee waiver ordinance for affordable housing. Although the ordinance is limited to only those situations where grant funding is available to reimburse the city utility for the waiver of the connection charges, this ordinance has already assisted two proposed affordable housing projects, which were awarded grants through the Department of Commerce’s Connecting Housing to Infrastructure Program (CHIP).</p> <p><i>H-4.2: Work with Island County and other local governments to investigate and implement regional funding options to support the development and/or maintenance of affordable housing such as a regional housing trust fund, regional housing tax levy, real estate excise tax, or other mechanisms.</i></p> <p><i>H-4.3: Explore opportunities and mechanisms for workforce housing for residents with incomes between 80% and 120% of Area Median Income (AMI).</i></p> <p>Implementation: Langley supported Island County in their adoption of the 1/10th of 1% sales tax for affordable housing this year made possible by House Bill 1590. Given the well-</p> |

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| | <p>documented issues with hiring and retaining employees, Langley should consider addressing workforce housing within their Housing Action Plan.</p> <p><i>H-4.6: Consider establishing an inventory of old buildings that could be converted into affordable housing.</i></p> <p><i>H-4.9: Review the impacts that vacation rentals (Airbnb, Vrbo, etc.) may be having on long-term rentals and housing affordability and, if necessary, develop a strategy in response.</i></p> <p>Implementation: Given the City’s inventory of second homes and vacation rentals, the City may want to consider exploring the impacts in their Housing Action Plan.</p> <p><i>H-4.10: Allow increased density on existing affordable housing sites.</i></p> |
| <p>Goal H-5: Special Needs Housing Work with Island County and other appropriate agencies to increase opportunities for residents with special housing needs.</p> | <p><i>H-5.1: Encourage special needs housing to be located throughout the City.</i></p> <p>Implementation: The City has a few affordable housing developments that rarely have vacancies, indicating a strong demand for these types of units. The City should consider partnering with the local Housing Authority or another nonprofit to build more income-restricted housing to address the needs of low-income residents.</p> |
| <p>Goal H-7: Mixed-Use Neighborhoods Encourage the creation of mixed-use neighborhoods that integrate a mix of housing types and densities, including affordable housing units, limited commercial services, and access to recreation.</p> | <p><i>H-7.1: Establish a mixed-use PUD overlay designation to allow discrete areas to be treated differently and more flexibly than allowed under current zoning standards.</i></p> <p><i>H-7.2: Ensure that mixed-use PUD neighborhoods are of sufficient size to promote an appropriate mix of residential and commercial uses.</i></p> <p>Implementation: Langley adopted a new Planned Unit Development (PUD) code in 2020 and received its first application under that code in August of 2022.</p> |

2021 Housing Challenges Report

In 2021, the Langley Planning Advisory Board in partnership with the Affordable Housing Work Group prepared the Housing Challenges Report that outlined demographic and housing market factors that have contributed to the City’s affordability challenges. The Report included community perspectives that demonstrated severe pinch points in the housing market that (1) inhibit the ability to attract and maintain employees for both local businesses and government functions, (2) require many residents to pay more than 30 percent of their income on housing costs, and (3) create long waitlists for rental units. The report identified several demographic factors that make Langley unique, relative to Island County and Washington, and contribute to affordability concerns.

- Langley has a much higher median age and very few families with children.
- Langley has a lower median household income, and almost two-thirds of the households received social security income.
- The City has a higher percentage of renters than the County and State, and 63 percent of them are cost burdened (paying more than 30 percent of their income on housing costs).

The report also highlighted implications that the local economy (geared toward tourism, leisure, and retail) had on housing affordability.

- Hospitality and retail employment wages are low and are often part-time positions, which present challenges for finding affordable housing in the area (which will also limit the growth of local businesses).
- An increase in short-term rentals has created competition for scarce housing resources.
- As of 2021, 35 percent of the units sold are not the primary residence of the owner.
- 2-bedroom apartments and duplexes are affordable to households making 80 percent AMI or above, and 2-bedroom single-family units are affordable to households making 120 percent AMI or above.

Langley also faces some unique challenges (outlined in the Housing Challenges Report) that may limit residential development potential, demonstrating the City's need to be flexible and creative when it comes to accommodating future development.

- Potable water source is from a sole source aquifer that serves the whole of Island County. The aquifer may be affected by saltwater intrusion and drawdown by a growing population.
- Water rights are limited: only 379 of 1,372 Equivalent Residential Units (ERUs) are available for future development under the City's permit from Department of Ecology.
- Sewer system is at 60% capacity; a threshold of 85% capacity use triggers facility expansion planning, representing a significant future funding commitment that must be accounted for in current rates and fee setting, further impacting cost of living and housing.

Review of Key Housing Policies and Programs

Langley has taken several recent steps to incentivize more diverse housing development to provide more opportunity and options for long-term residents. This section summarizes these new programs and policies that are already working toward creating a more affordable Langley. The key programs included in this section are:

- 2019 code amendments that increased allowances for duplexes, ADUs, and tiny homes
- Multifamily Infill Code
- Waivers of utility participation fees and connection charges for affordable housing developments

2019 Code Amendments

In 2019, the City of Langley adopted code amendments that expanded allowances and increased densities in residential zones for duplexes, ADUs, and tiny homes in an effort to help address many of the housing issues the City has been experiencing. Key changes to the code include allowing both an attached and detached ADU per single-family residence; allowing for duplexes to also have a detached ADU; only requiring an additional parking space for the second ADU on a property; allowing for tiny homes to be used as ADUs; and, lastly, allowing for the development of multiple tiny homes on a single parcel as a multifamily development. Since the code amendments were adopted, the City has seen an increase in ADU development and an affordable tiny home village was completed by a locally formed nonprofit in 2021. The City has not permitted any duplexes since 2014, and all other permitted units since 2019 have been for single-family units.

ADU Development

Since the City expanded allowances for ADUs in 2019, the City has permitted an additional 7 units (1 unit in 2019 and 6 units in 2020). This is the biggest increase in ADU permit activity the City has seen since 2010. The largest increase in a single year prior to 2020 was 4 ADUs permitted in 2015. Considering this increase in ADU permit activity, the code amendments have been successful in encouraging more ADU development and should continue finding ways to lower barriers to ADU development, considering the interest and need for them in the community.

Tiny Home Village

Since the 2019 code amendments that expanded allowances for tiny homes were adopted, the City has permitted a 9-unit community aimed at providing housing for low-income workers. A local nonprofit, THINC, will provide 9 units (264 square feet each) on a site with office and community space. The units will be rented to low-income South Whidbey Island residents, referred by the Island County Housing Support Center or other local agencies. The units will be rented on a sliding scale and lease agreements will be re-evaluated at the end of each year to ensure qualifications are still met. As of May 2022, construction of the community is still ongoing.

Utility Fee Waiver Ordinance

The City is in the process of adopting an ordinance that would provide for the waiver of utility participation fees and connection charges for affordable housing developments. As a small jurisdiction, the city utility cannot always afford to subsidize housing development, so the ordinance is limited to only those situations where grant funding is available to reimburse the city utility for the waiver of the connection charges. Despite this limitation, the ordinance has already assisted two proposed affordable housing projects, which were awarded grants through the Department of Commerce's Connecting Housing to Infrastructure Program (CHIP). The first is the tiny home village described above, which is operated by THINC. The second is a

proposed project by Habitat for Humanity that may result in up to eight units for affordable home ownership housing.

Multifamily Infill Code

In 2021, Langley adopted a multifamily infill development code aimed at increasing residential building capacity. The work included code amendments to permit multifamily infill housing—including triplexes—in two single-family zone districts, RS5000 and RS7200 and the Residential Mixed (multifamily) zone district. Allowances were also expanded to the Neighborhood Business zone district. Key highlights from the amendments include:

- All development is required to be connected to City sewer.
- Reduces front yard setbacks but regulates how much major façade elements may encroach.
- Increases maximum height in some zone districts when affordable housing units are provided.
- Regulates building height in stories, not feet, and regulates the maximum story height.
- Reduces parking requirements from two stalls per dwelling unit to one stall.
- Allows up to 100% of the required parking to be accommodated through on-street parking, although such on-street parking cannot be reserved for residents of the development and must be shared with the public.
- 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.
- Increases lot coverage but DOE stormwater requirements continue to apply for impervious cover that is more than 2,000 SF.
- Simplifies the approval process. An application is not required to be reviewed by the Design Review Board.

Since the code was adopted in 2021, the City has had a couple of applications submitted and one has been permitted. One project completed the preliminary binding site plan but discontinued the process to develop duplexes on the existing lots rather than utilize the multifamily infill code. The second project received site plan approval in August of 2022. The initial plan was for the property owner to live in one of the units and rent out the other two. Since the code is newly implemented, it remains to be seen how well it will be utilized, but the City should continue monitoring applications and engaging in conversations with developers to understand if any tweaks should be made to further incentivize its use.

Appendix B: Recommendations for Future Actions

The following actions, while important and useful, will not be included as strategies in the HAP. Instead, they are included as recommendations that the City may want to consider in the future or as part of another process. Some of these recommendations are broad, without a clear action at this point for the City, or they relate to other actions that would need to take place first. They are included as recommendations for the City to act on in a 20-year planning period or to reconsider when updating the HAP or updating the City's Comprehensive Plan.

If Adopting Impact Fees for New Development Projects, Consider Partial Fee Waivers for Mixed-Income or Income-Restricted Projects

Rationale

Development fees can often represent a substantial cost for housing projects, particularly affordable housing projects that frequently come together using a patchwork of funding streams and operate on thin margins.

Description

Cities can create programs that reduce various development fees as an incentive to induce the types of housing development needed and/or desired. Development fees include impact fees. Impact fees are one-time charges typically collected by cities for infrastructure, including transportation, parks, and others. Although they are a helpful tool to fund public amenities, they can also be challenging costs for types of housing development that are financed on thin margins (such as affordable housing projects). If the City adopts impact fees for new development, it should consider setting criteria for some projects to receive a partial waiver, such as regulated affordable housing or projects that provide typologies desired by the city.

Examples

Kirkland [Municipal Code Sec. 27.04.050](#) specifies several different types of projects (including ADUs and low-income housing) that are exempt from impact fees, including eligibility that must be met before an exemption is granted.

Everett [Municipal Code Sec. 19.52.060](#) — The code allows the city council to grant impact fee exemptions on a case-by-case basis to low-income housing developments, as long as certain eligibility criteria are met.

City Role

Establish criteria for waivers and exemptions for affordable housing projects if the City opts to adopt impact fees in the future.

Considerations

Since the City does not currently collect any impact fees, there are no additional considerations at this time.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--------------------|--|-----------------|---------------------------------|
| Low-Income | May include projects for households with income below 80% of MFI | Renter or Owner | Small |

Develop a Land Bank to Support Affordable Housing Development

Rationale

Land control is critical to affordable housing development because overall development costs make projects difficult or financially infeasible. Control of land also allows the owner to determine how land is developed. Land costs account for a substantial portion of housing development costs, so removing or reducing land costs can dramatically lower the costs of developing affordable housing.

Description

Through land banking, the City can provide a pipeline of land for future development and control the type of development that may occur on that land. The City could pursue land banking in three ways:

- Designate city-owned land as surplus and contribute that land to the land bank, eventually conveying that land to affordable housing developers for development of housing at an agreed-on level of affordability. If the city does not have its own surplus land, it could partner with another public entity like a school district or public utility that may have available land.
- Purchase properties for the purpose of building affordable housing and convey that land to affordable housing developers for development of housing at an agreed-on level of affordability.
- Provide funds to support land banking done by another organization, with the purpose of building affordable housing in the future.

Spokane Regional Low Income Housing Land Bank As of now, Spokane is the only city in Washington to have established a land bank for housing. The Low-Income Housing Consortium launched the Spokane Regional Low Income Housing Land Bank in August of 2022, with help from Inland Northwest credit unions and the GoWest Foundation (hereafter called the consortium) in order to develop low-income housing. This land bank was created with a \$45,000 grant from the GoWest Foundation, which works with credit unions and community organizations.

City Role

The land bank can provide land to support residential development, of either rental housing or ownership housing. To support development of land for rental housing, the City’s role could be to partner with a nonprofit affordable housing developer to build housing affordable at less than 60 percent of MFI or a developer of mixed-income housing, which would include some amount of housing affordable between 60 and 80 percent of MFI and housing available at market rates. Housing affordable to households with incomes of less than 60 percent of MFI is financed with state and federal funds, which mandate long-term affordability (e.g., maintaining affordability for 30 years or longer). Maintaining affordability of mixed-income housing may require direct agreements with the developer and owner, typically tied to low-cost land (such as land in a land bank) and other incentives (such as tax exemptions).

Whidbey Island has a new community land trust in its early stages, Home on Whidbey. Each of these options could also help support their growing regional efforts through the direct donation of land or funds.

Considerations

If public land is used for affordable housing, it cannot be used for other city functions. However, the land would have been identified as surplus and not needed for city functions. Funds spent on affordable housing will be unavailable for other city services. If the City does not ensure that housing will be affordable at below 120 percent of MFI for the foreseeable future, the housing costs may increase, making the housing less affordable.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|-----------------------|---|-----------------|---------------------------------|
| Low and Middle Income | Households with incomes below 120% of MFI | Renter or Owner | Low to Moderate |

Consider Reducing or Exempting Development Fees for Income-Restricted ADU Development

Rationale

Reducing permit fees can help offset development costs, increasing the financial feasibility for small projects, especially if taken on by a homeowner. Since the City is interested in supporting ADU development, as they can sometimes provide a lower-cost housing option, reducing permit fees may lower barriers to development and incentivize participation.

Description

Cities can create programs that reduce various development fees as an incentive to induce the types of housing development needed and/or desired. Development fees could include land use fees (site plan review, design review, land division, etc.), public improvement permit fees (transportation, water, wastewater, stormwater), and building permit fees. The City could choose to offer reductions or exemptions for income-restricted ADUs to incentivize program participation. While the impact of this strategy is relatively small, it would likely still lower cost barriers for homeowners looking to build an ADU on their property and the City may realize a modest supply of income-restricted units.

There are a number of avenues to reduce or waive fees for ADUs.

- Consider offering a discount rather than a full waiver for certain fees.
- Consider waiving only certain development fees such as utility connection fees.
- Create a sunset date for the fee waiver program or place a cap on the number of eligible projects, either per year or overall, to better gauge demand and impact.
- Waive fees for those who purchase or utilize the City's pre-approved plans to incentivize program participation.

Examples

Kirkland [Municipal Code Sec. 27.04.050](#) specifies several different types of projects (including ADUs and low-income housing) that are exempt from impact fees, including eligibility that must be met before an exemption is granted.

Olympia [Municipal Code Sec. 15.04.060](#) — Exempts ADUs from school and park impact fees;

Everett [Municipal Code Sec. 19.52.060](#) — ADUs are also fully from the City's impact fees. The code also allows the city council to grant impact fee exemptions on a case-by-case basis to low-income housing developments, as long as certain eligibility criteria is met.

City Role

Revise the fee schedule to include reduced or waived fees for income-restricted ADU development.

Considerations and Implications

The City would likely need to provide technical support to homeowners for tracking income-restricted compliance.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|-----------------------------------|--|-----------------|---------------------------------|
| Extremely Low- to Moderate-Income | May include projects for households with incomes below 120% of MFI | Renter or Owner | Small |

Partner with Island County, Nonprofits, and Local Lenders to Implement a Right-to-Purchase Law and Assistance Program

Rationale

Preserving the City's existing low-cost housing options can be critical, especially in an environment where the market is not delivering new or affordable housing inventory.

Description

The City could evaluate the feasibility of implementing a Notice of Sale policy, which would require owners of a single-family home to provide official notification to tenants and local housing officials before a sale in a set period of time (e.g., 90 to 120 days). Washington State has a similar law for multifamily buildings set to undergo a condominium conversion, requiring a 120-day notice. Tenants also have a 60-day period with first right of refusal to purchase their unit (RCW 64.34.440). The City could also provide technical support and resources to help tenants navigate this process. A Notice of Sale policy could also give housing officials the opportunity to potentially purchase the property in interest of preserving low- or moderate-income housing. The policy would also mitigate the impact to residents by providing additional time for locating new housing.

City Role

The City can initiate conversations with the County and city attorney to understand the feasibility and any implications for developing this type of law.

Considerations

The City will need to consider whether staff has the technical expertise and capacity to administer a complicated technical assistance program.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|---------------------|--|----------------|---|
| Low-Moderate Income | Households with incomes between 60-80% MFI | Renter | This strategy will not produce new units but could help preserve existing rental units. |

Establish a Long-Term Rental Registration and Inspection Program

Rationale

A long-term rental registration process could increase education and help track changes in the City's rental housing stock.

Description

There are a wide variety of long-term rental registration programs in Washington. How a City chooses to design their program is up to their discretion. Generally, cities have established long-term rental registration and inspection programs to help ensure that rental units are in compliance with life and fire safety standards and to ensure that rental units are safe and livable spaces for tenants. This can help eliminate exploitative behaviors by landlords in tight housing markets. Jurisdictions can require property owners to initially apply for and continue renewing a rental license on an annual basis. Jurisdictions can also implement mandatory inspections every few years and a registration program can help create a system where inspections are automatically triggered.

Rental registration and inspection programs can also be used to share resources and provide education for landlords related to safety standards, grant opportunities, or other maintenance programs that can help offset maintenance costs.

Examples

Bellingham established the Rental Registration and Safety Inspection Program (RR&SIP) in March of 2015. This program requires all property owners to register their rental properties and comply with city Safety Inspection Program requirements. Program renewal is required yearly and property inspections every three years. Inspections range from \$45 to \$100, but there is no charge for first reinspection. ([Bellingham RR&SIP Frequently Asked Questions](#))

Renton established their Rental Housing Safety Program on January 1 of 2018. This program requires all rental properties to apply for and pass safety and livability inspection. In 2021, *67% of properties failed initial inspection, but 75% of properties passed reinspection*. The program has 10,923 registered rental units (94%) and recognizes 712 unregistered rental units (6%).

Lakewood Rental Registration Program was announced in March of 2020. This program requires a signed declaration of compliance and a business license for all rental properties (free if the landlord does not engage in any other business activity that would be subject to a license fee). The program does not mandate inspections, except in cases of violations or if the landlord appears to have failed to fulfill an obligation required under the Landlord-Tenant Act. ([Renton Rental Registration Program website](#))

City Role

Design a rental registration and inspection program that is most appropriate and reflective of Langley's rental housing stock.

Considerations

There are many considerations the City should evaluate prior to designing and implementing a rental registration and inspection program:

- **Exemptions:** Some cities exempt certain types of units such as single-family homes, certain ADUs, small developments (1-4 units) within which the owner lives, or government-owned or subsidized housing that is already subject to inspections.
- **Staff time and capacity:** Implementing a rental registration and inspection program will require a substantial investment in staff time, especially for building inspectors. The City should evaluate when and how often inspections should occur and how much staff time it would require.
- **Potential burden on property owners:** Levying fees and introducing new time-intensive procedures could be burdensome on property owners, especially those who may be operating on thin financial margins. The City should ensure the program is not overly expensive and burdensome on property owners to avoid discouraging new rental units,

landlord participation, or incentivizing property owners to sell their properties, which could result in tenant displacement.

- **Short-term rental regulations:** The City should ensure that long-term rentals are subjected to more burdensome requirements than short-term rentals to avoid incentivizing property owners to turn units that could support long-term or workforce residences into short-term rentals.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|--|------------------|----------------|--|
| Households seeking long-term housing opportunity | Any income level | Renter | This strategy is not anticipated to produce units, but it could help track changes in the rental market that the City may need to respond to, and it could create better protections for tenants |

Implement a Unit Lot Subdivision Code to Support Townhome Development

Rationale

Both homebuyers and developers often prefer fee simple housing development to condominiums, as condominiums require homeowner associations (HOA) that charge fees that can add substantially to monthly housing costs. Developers often prefer fee simple development over condominiums due to construction defect liability laws¹¹ that pose significant legal and financial risks to developers, deterring condominium development statewide.

Description

Cities and counties typically allow fee simple development of vertically attached housing (e.g., townhomes) through a Unit Lot Subdivision code. A Unit Lot Subdivision is specifically designed to allow the subdivision of multifamily development so that residents own both the residential unit and the land underneath. A homeowner would only own the unit, and the rest of the land in the development would be held in common ownership through the HOA in a condominium development.

¹¹ Enacted under the 1989 Washington Condominium Act (WCA).

Unit Lot Subdivisions typically apply the required development standards to the “parent lot” (the overall development site) and allow more flexibility for the “unit lots” (one of the lots created through the subdivision process) related to minimum lot size, setbacks, building coverage, etc.

Examples

City of Lynnwood allows fee simple development of townhomes only under LMC 19.40.

City of Snohomish allows for fee simple development of duplexes, town houses, and detached dwellings such as cottage housing and manufactured home parks under SMC 14.215.125.

City of Bothell allows fee simple development in their R 5,400a, R 4,000, R 2,800, DC, DT, DN, GDC, or R-AC zones and apply special “offspring lot” standards through BMC 12.14.085.

Snohomish County allows fee simple development of town house, mixed town house, or cottage housing developments in zones where those uses are allowed and outline specific design standards for unit lot subdivisions under SCC 30.41A.205.

City Role

Amend Langley’s Municipal code to allow for fee simple development of townhomes in all zones in which townhomes are an allowed use.

Considerations

City staff should be mindful of how existing regulations such as lot size, width, and impervious surface coverage could artificially inhibit fee simple townhome development. Outlining explicit regulations for “parent lots” and “unit lots” will help reduce possible code conflicts during implementation.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|----------------------|---|----------------|---------------------------------|
| Moderate-High Income | Households with incomes above 100% of MFI | Owner | Moderate |

Action 1.2: Develop and/or Provide Pre-Approved ADU Plans

Rationale

Providing pre-approved plans can lower the cost of ADU development and help encourage more homeowners to pursue this option. Additionally, it can also help reduce the strain on staff capacity for processing ADU applications in a timely manner.

Description

Langley should consider lowering the barriers to ADU development by providing a pre-approved set of plans for designs that, if used by a developer or homeowner, would lead to automatic approvals and reduced permitting schedule. Pre-approved plans can reduce the need for architectural assistance, reducing costs and eliminating barriers to the development of these housing types and encouraging more participation from homeowners or smaller-scale developers.

The plans should be highly efficient, designed for constrained lots, and offer low-cost solutions. Langley could choose to purchase plans, adapt pre-approved plans developed by other cities, or work with other cities to develop pre-approved plans that could be implemented regionally. Information sharing is a critical component for making this type of program a success. The more readily available information and resources are for a pre-approved plans program, the more it will spark interest from residents and developers. If the program is not well advertised, it will be underutilized.

Examples

Seattle launched its program [ADUniverse](#) in 2020, which provides designs that have been granted pre-approved permits. The City also launched a website where users can search through galleries of available plans and access step-by-step guidance to adding an ADU on their property.

Leavenworth [developed pre-approved plans](#) to encourage an alternative housing type that could be more affordable to the local workforce and seniors. The City worked with a local architecture firm to develop the construction plans, capping the unit size below 900 square feet so it can connect to the existing water/sewer lines when possible.

Olympia in partnership with the cities of Lacey and Tumwater has made [four pre-approved ADU plans available](#), ranging from one to two bedrooms in a single or two-story structure, with some units suitable for up to four residents.

City Role

The City can work directly with an architect to design pre-approved plans best suitable for Langley, partner with other cities to adapt existing pre-approved plans to meet Langley's requirements, or develop regionally pre-approved plans to maximize the impact.

Considerations

Developing a new set of pre-approved plans may be costly for Langley, so to maximize impact and reduce funding barriers, the City should consider working with other cities interested in pursuing pre-approve plans to increase efficiency and minimize cost.

Affordability Impact

| Populations Served | Income | Housing Tenure | Magnitude of New Units Produced |
|------------------------|--|-----------------|---------------------------------|
| Low to Moderate Income | Households with incomes between 80%-120% MFI | Renter or Owner | Moderate |

Appendix C: Summary of Community Engagement

City of Langley Staff prepared the following summary of community engagement conducted for the Housing Action Plan.

Summary of HAP Outreach

Meredith Penny, Langley's Director of Community Planning, worked with the Planning Advisory Board (PAB) on using various methods to consult with and receive input from community members and a wide range of stakeholders over the course of the project. A Public Participation Plan was prepared to guide these activities.

The various methods included virtual community meetings, focus group discussions, key person interviews, and a community survey. The project was also the subject of discussion at numerous PAB meetings over the course of the project. The public participation was structured over three phases, beginning in June 2022 and ending in March 2023. A report for each phase was prepared summarizing the results of that phase.

Phase I

The initial phase of consultation was held over June and July 2022. It included six community focus groups and interviews with five council members. The focus groups were based around five different community sectors or groups of interest: Affordable Housing Development, Business, Community Organizations, and Development Contract and Governmental Organizations.

Additionally, a virtual community meeting was held on July 21. Attendees included a range of individuals with various interests such as Langley homeowners and tenants, Langley employers and employees, business owners, affordable housing advocates, and people in search of affordable housing options.

A report was prepared summarizing the results from these various sessions. More than 300 comments were received from roughly 100 different individuals. The responses shared many similar elements. Certainly, respondents recognize that housing to rent, purchase, own, or build in Langley and South Whidbey is increasingly out of reach for many people. Respondents provided a wide range of possible solutions and actions that the City of Langley can take. Some respondents also noted concerns as to how increasing development could negatively impact Langley's community character and natural environment features. Many of the responses recognize that the City of Langley cannot solve this affordable housing crisis on its own and requires that the subject be prioritized, partnerships formed, and advocacy efforts be undertaken.

Phase II

The PAB prepared a survey with the goal of gaining a better understanding about housing needs in the City and to help inform the Housing Needs Analysis. The City invited stakeholders

to complete the survey between July 8 and September 26, 2022. It was sent to recipients with their utility bills on July 10, thereby targeting over 800 City of Langley utility customers (homeowners and renters). It was also available on the City's website, and it was advertised on Drewslist. Responses were anonymous. A total of 443 survey responses were returned to the City. Survey respondents self-selected; therefore, the results are not representative of the whole population. The survey consisted of 27 close-ended questions and 12 open-ended questions for a total of 39 questions.

While the typical respondent was a long-term resident who owned their home and didn't face any housing challenges, there were many respondents who experienced housing challenges such as lack of affordable rental housing, housing options that didn't meet their family's needs, housing that was poorly maintained or unhealthy, and/or housing that cost more than two weeks' pay. Some respondents who didn't face challenges themselves reflected that younger family members were not as fortunate. The cost to develop, including building and utility costs, was a significant reason preventing people from developing ADUs, for example.

Respondents identified a range of solutions that the city might consider, including supporting the development of more affordable rental housing, the importance of incentives and subsidies, and how vacation rentals and second homes should be heavily taxed and better regulated. Suggestions for additional housing choices generally reflected detached single-family residential options over multifamily types of housing. But there was a preference for smaller units. There is some support for increasing height and density for affordable housing options.

A virtual meeting was held on November 10, 2022, where ECONorthwest presented the results of the draft Housing Needs Analysis. Some preliminary results of the community survey were also presented at that meeting.

Phase III

The sector-based focus groups used throughout the process were brought together again for a final conversation in March 2023. The focus groups were split into different sectors: business, broad community, community organizations, market-rate developers, affordable housing developments, realtors and finance government, and environment. These sessions were held to receive feedback on the actions outlined in the draft Housing Action Matrix prepared by ECONorthwest. The matrix was comprised of 19 actions organized into six different categories.

The responses reflect ongoing concerns regarding housing affordability in general for both rental and ownership, as well as for specific people in the community such as workers. Respondents show their support for some but not all of the proposed actions in the matrix and they identify other possible actions. A lack of comments regarding a specific action should not be considered a lack of support, as some of these actions are complex and may not be well understood by attendees.

Conclusion

The public participation efforts to support the preparation of the City of Langley's Housing Action Plan and Implementation actions have been extensive. Over the course of the three phases the city received:

- 440 comments from interviews, community and focus group meetings.

- 443 survey responses.
- 35 email submissions.

In addition to these structured public engagement events, the HNA and HAP were the subject of numerous regular PAB meetings.

These comments revealed:

- Agreement that there is a housing crisis in Langley and South Whidbey.
- Many people are living in substandard housing because they can't afford safer and affordable options, 'better options' are not available, and/or the wide gap between housing costs and wages means people must settle.
- Langley and South Whidbey are desirable places to live.
- The City/community does not have a balanced demographic makeup and the housing crisis is exacerbating this imbalance.
- A range of understanding regarding the possible actions available to the City to address the crisis.
- Some actions presented in the Housing Action matrix are perhaps not well understood while others received some support.
- Awareness that the City cannot solve the crisis alone and must partner with other public agencies, funders, property owners, nonprofit organizations, and others.
- A real concern about how the housing crisis is impacting Langley workers and their employers' businesses.
- A preference for detached single-family residential options over multifamily types of housing.
- And a preference for smaller units.
- Some support for increasing height and density for affordable housing developments.
- Concern about homes being bought as vacation homes that may sit vacant for much of the year, taking a house off the market for possible full-time residents.
- Concern that short-term rentals are replacing long-term rentals.
- Support for actions that the City has already implemented.

Appendix D: Inclusionary Zoning Analysis

Background and Purpose

The City of Langley received a grant from the Washington State Department of Commerce in 2022 to create a Housing Action Plan (HAP), with the intention of better defining the City's current and future housing needs and creating a plan of action. The City also intended to use part of the grant funds to analyze and begin implementation of an inclusionary zoning program. One of the discreet tasks outlined in the project's scope of work is to analyze the feasibility of creating an inclusionary zoning program that would require residential development projects to set aside a portion of the units as income restricted. The City contracted with ECONorthwest to complete both the Housing Action Plan and the Inclusionary Zoning Feasibility Analysis. This memo presents the final results of the analysis.

Research Questions

ECONorthwest was asked to address questions related to understanding how development might perform financially when utilizing existing incentives within the [City's Multifamily Infill Overlay Code \(MFI\)](#), in exchange for a share of units set aside as affordable housing. **The central question is, will accessing the MFI code in exchange for developing affordable housing create more value for developers relative to the cost of the required public benefit?** If not, a developer may be unlikely to participate in the program, contrary to the City's goals. In addition to the central question, our analysis approach seeks to answer three general questions:

- How does development feasibility under the Multifamily Infill (MFI) code compare to the feasibility of developments built under the current base entitlements?
- How well do the incentives available in the MFI code offset the cost of providing affordable units relative to building under the base entitlements without affordable units?
- How might adjusting the existing affordable housing set-aside requirements¹² change the financial feasibility of development built under the MFI code? More specifically, can

Why is development feasibility analysis important?

Constructing housing can be costly and risky and the costs associated with constructing affordable housing can be even more challenging. Getting funding to build new housing requires lenders and investors to be reasonably confident they will earn enough financial return to justify the risks.

Economic or market feasibility is generally assessed by comparing the expected revenues (home sales or net income from rents) against the costs of development. If a development is not feasible, it will not be built. While some of the factors that determine market feasibility are outside a jurisdiction's direct control (e.g., labor and materials costs, interest rates, market rents), local jurisdictions can provide incentives (such as tax exemptions) or adjust fees, zoning, programs, and other regulations that can have a substantial impact on whether development could be feasible or not.

¹² The City currently offers a one-story height bonus in the MFI code in exchange for providing affordable housing. More details on this bonus, and the affordability requirements, are available in the box on page 7.

MFI incentives and lower (than existing) set-asides of affordable units create higher-value developments than building under the base entitlements?

What is Inclusionary Zoning?

Affordable housing requirements, often referred to as inclusionary housing or inclusionary zoning, require or encourage developers to contribute to the public benefit of affordable housing by providing financial or development incentives to the building in exchange for below-market rental apartments or for-sale homes. This often takes the form of either providing affordable units within a new or renovated market-rate project, building or renovating new affordable housing off-site but in conjunction with a new market-rate development, or paying a fee in lieu of providing the affordable housing on or off-site. These programs can be mandatory or voluntary and can apply to residential development as well as commercial development.

Below is a summary of the general differences between mandatory and voluntary inclusionary housing requirements:

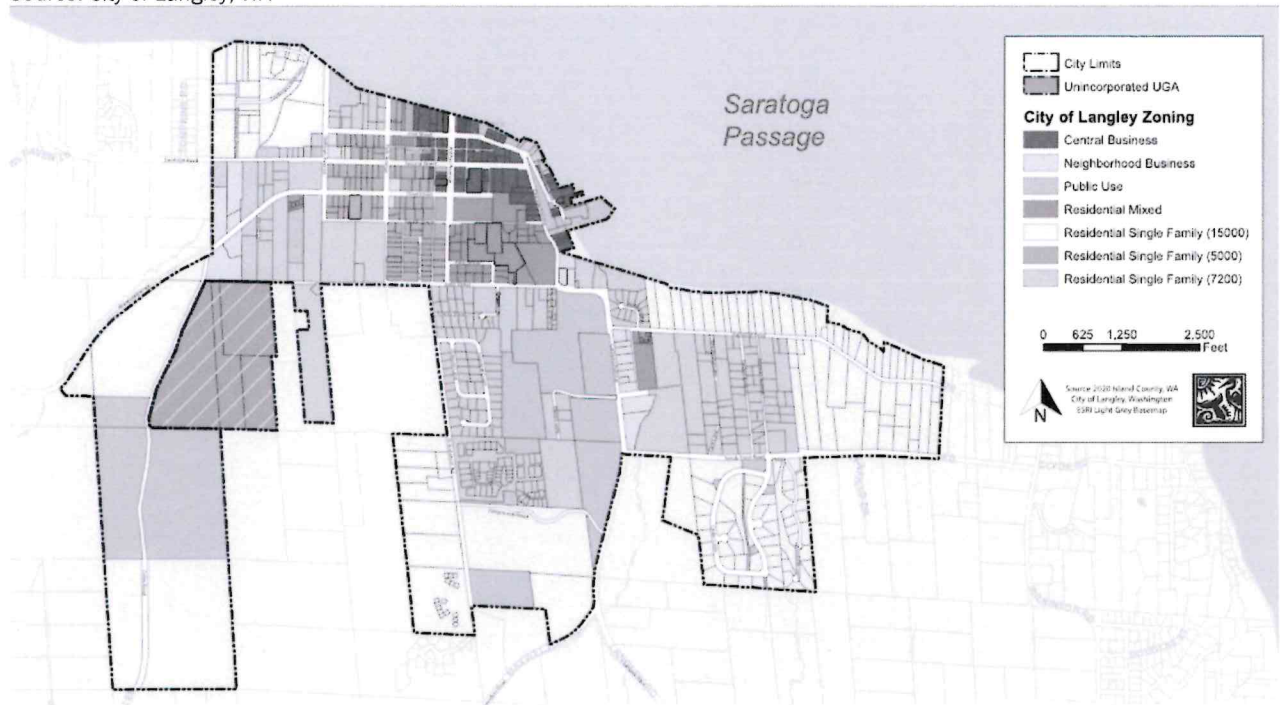
- **Mandatory:** A mandatory program means that a development would be required to comply with an affordability policy. Many mandatory programs in other cities have a minimum unit or gross square foot threshold so that the policy requirements only apply to larger projects (e.g., so as not to impact small infill site redevelopment). Mandatory programs often have multiple options for compliance - either different affordability requirements (e.g., less units at deeper affordability levels), developing the required affordable units off-site, or paying a fee in lieu of providing the affordable units.
- **Voluntary:** A voluntary program means that a development is incentivized to participate in the affordable housing program, oftentimes through a bonus of development entitlements or a financial incentive.

Methodology

ECONorthwest was asked to assess the development feasibility of the various residential development types currently allowed under base entitlements and within the Multifamily Overlay for applicable zones: Residential Single Family 7200 (RS7200), Residential Single Family 5000 (RS5000), Residential Mixed (RM), and Neighborhood Business (NB).

Exhibit 33: City of Langley Zoning Map, 2020

Source: City of Langley, WA



We modeled prototypical development types, or *prototypes*, that optimized the zoning entitlements under both the current base entitlements for each zone and the Multifamily Infill Code Overlay allowances.

Development Prototypes and Summary of Assumptions

The City's existing Multifamily Infill Code expands entitlements to allow for more diverse housing types, particularly within RS 7200 and RS 5000 where only single-family housing and duplexes are allowed under base entitlements. Therefore, when analyzing the base entitlements in the RS 7200 and RS 5000 zones, only duplex development was modeled. However, the multifamily infill code would allow multifamily housing up to 6 units within the RS 7200 and RS 5000 zones along with townhomes, triplexes, and cottages. The table in Exhibit 31 outlines the development prototypes tested by zone. Blank cells in the table reflect prototypes that were not applicable for the respective zone (typically due to zoning parameters that limited the allowance of the prototype).

Since the MFI code was adopted in 2019, two development applications came in but one changed course during the land use stage. The applicant opted to build duplexes on separate parcels under the base entitlements instead of combining the site into a condominium project using MFI provisions. The other application is for three cottages on a single parcel and has applied for building permits.

Exhibit 34. Summary of Development Prototypes for Each Zone

Source: ECONorthwest

| | RS 7200 | RS 5000 | RM/NB | MFI Code | MFI Code Height Bonus ⁺ |
|----------------------------------|---|---|--|--|--|
| Duplex* | 2 units, 2,500 to 3,100 sf GFA, 7,200 sf lot (12.4 du/acre) | 2 units, 2,500 to 3,100 sf GFA, 5,000 sf lot (17.4 du/acre) | | 2 units, 2,500 to 3,100 sf GFA, 5,000 sf lot (17.4 du/acre) | |
| Triplex* | | | 3 units, 3,700 sf GFA, 9,000 sf lot (14.5 du/acre) | 3 units, 3,700 sf GFA, 7,500 sf lot (17.4 du/acre) | |
| Multifamily – Two Story | | | 8 units, 8,000 sf GFA, 23,500 sf lot (14.8 du/acre) [§] | 8 units, 8,000 sf GFA, 12,500 sf lot (27.9 du/acre) [§] | |
| Multifamily – Three Story | | | | | 12 units, 12,000 sf GFA, 12,500 sf lot (41.8 du/acre) [§] |
| Town House Large (3-pack) | | | | | 3 units, 5,800 sf GFA, 7,500 sf lot (17.4 du/acre) |
| Town House (6-pack) | | | | | 6 units, 9,800 sf GFA, 11,000 sf lot (23.8 du/acre) |

* This prototype was duplicated to account for different tenure and market prices. The general form of this prototypes is equivalent to 2-story townhomes.

+ Building height may be increased by one story if 70 percent of the net floor area of the largest floor is allocated to affordable housing.

§ Multifamily buildings are currently limited to 6-8 units in the MFI code, but the comparable developments in the surrounding area (Oak Harbor, Mukilteo, and Anacortes) typically have at least 8 units in a two-story building and 12 units in a three-story building.

Pro Forma Analysis

ECONorthwest completed an economic analysis that models a developer’s decision-making process and cash flow equation. The findings from this analysis can help guide the City on whether a developer will accept the proposed incentives and which incentives offer the best financial returns. More specifically, we used a pro forma model to assess the feasibility of each of these development and entitlement scenarios. The pro forma calculates the residual land value (RLV), which is an estimate of what a developer would be able to pay for land given the property’s income from rental or sales revenue, the cost to build as well as to operate the building, and the investment returns needed to attract capital for the project. In other words, it is the budget that developers have remaining for land after all the other development constraints have been analyzed.

Land budget (RLV)-This term is used throughout this memo and is defined as the price (or price per square foot) of land that a site would need to sell to make a development feasible. The land budget is what a developer can afford to pay for land and still maintain a financially feasible development project.

An advantage of the RLV approach is that it does not rely on land prices as an input. Rather, observed land prices can be compared with the model outputs to help calibrate the model and ensure it reflects reality. We compared the residual land value (RLV) to the average value for both improved and vacant land in these zones according to Island County assessor data. If the RLV is greater than, or close to, the current market price for the property, the project is likely feasible. If the RLV is less than the market price, new development is unlikely to be able to afford the land needed for the project. Lastly, if the RLV is negative, the project does not generate enough income to turn a profit and is not feasible. RLV analyses should be thought of as a strong indicator of the relative likelihood of development, not an absolute determinate of project feasibility. The results from this method describe a general analysis of prototypes and do not consider the many potential unique conditions that could be a factor in development feasibility (e.g., increased predevelopment costs, low land basis from longtime land ownership).

As described in further detail below, for this analysis we compared the RLV of developments under the multifamily infill code with affordability requirements to the RLV of developments under the baseline code. This way we could normalize the changes to evaluate how a development performs between the different policies.

Analysis Steps

The objective of the analysis was to model the impacts on development feasibility under the MFI overlay if a new, voluntary inclusionary policy for the existing code was implemented. To accomplish this, and answer our research questions, we completed the following steps:

1. **Analyzed current land prices.** Development will need to be able to pay for land, and displace the existing use, to occur. From our vacant and improved land analysis described below, vacant land has a lower average value and will likely be cheaper to build on than improved land. We track these different average prices along with our feasibility results for new development.
2. **Estimated the value of current base entitlements.** For developers to voluntarily access the MFI code, the value of building under those additional entitlements needs to be higher than the base entitlements. We therefore analyzed the potential value of building under the base entitlements to understand what building under the MFI code will need to outcompete. We track the value of the most feasible prototypes delivered under the base entitlements to see if building under the MFI code would be more valuable.
3. **Estimated the value of building under the MFI entitlements (with and without affordability requirements).** We modeled a range of prototypes (see Exhibit 31) to understand how feasible they would be as fully market-rate developments (the current scenario for development types not accessing the height bonus) as well as how feasible they would be if they were expected to deliver affordable units. We then compared the value of these prototypes, under different affordability requirements, to the value of current base entitlements and current land prices.

More specifically, for Step 3 above, we modeled how the development prototypes accessing the MFI code would perform under a new inclusionary requirement at varying affordable unit set-aside requirements (5%, 10%, 15%, and the current effective set-aside requirement to access the height bonus which is approximately 23%). We maintained the depth of affordability that is currently required by the MFI height bonus – 120% of area median income (AMI).

LMC 18.13.050.E.1 - Multifamily Infill Code Height Bonus

Requirement: Building height may be increased by one story if 70 percent of the net floor area of the largest floor is allocated to affordable housing.

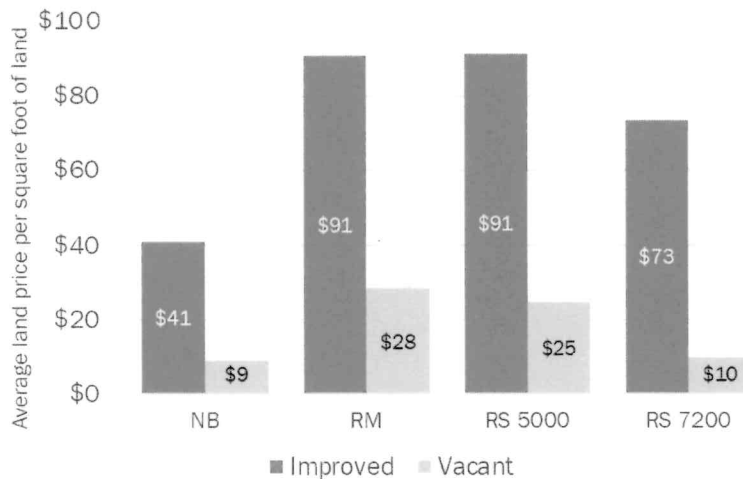
Effective Set-Aside: Total of 3 stories in exchange for 70% of the largest floor area being affordable. If a building has 3 equal floor sizes → $(70\% \times 1 \text{ floor}) \div 3 \text{ floors} = 23.3\%$

Availability of Land in the Multifamily Infill Overlay (MFI) Code

We analyzed the assessor data, for improved and vacant land, in the MFI overlay to understand the development feasibility of different prototypes. We evaluated both the average land price and availability of land for each base zone, given that our research questions are about understanding the incentives of the MFI code relative to the base entitlements. The average land price per square foot of land is shown in Exhibit 32, and the share of vacant and improved land is shown in Exhibit 33.

Exhibit 35: Average Land Price per Square Foot, Improved and Vacant Land

Source: Island County Assessor

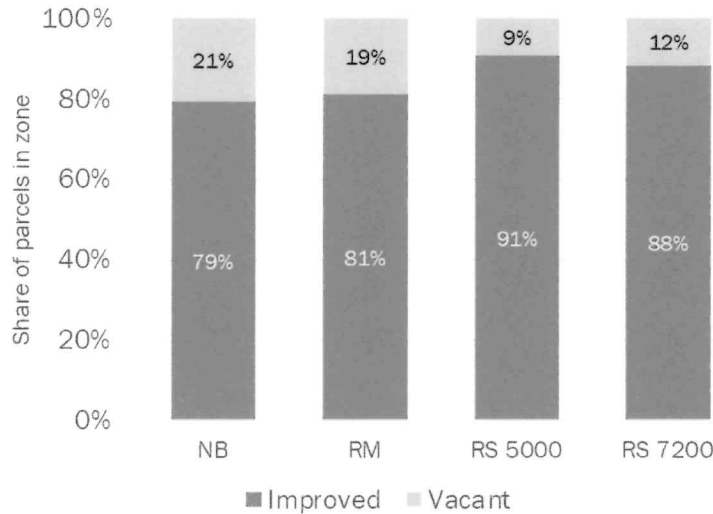


The majority of the land in the MFI code is improved land – at least 79% of the land in the NB zone and as much as 91% of the land in RS 5000. Vacant land is much more affordable – as low as \$9 per square foot of land in the NB zone (relative to \$41 per square foot for improved land) and as high as \$28 per square foot in the RM zone (relative to \$91 per square foot for improved land) – but vacant land is much harder to find as it represents about one-fifth or one-tenth of the

land depending on the base zoning. However, it should be noted that assessed value does not necessarily correlate to property (or land) sales prices.

Exhibit 36: Percent of Vacant and Improved Land by Zone

Source: Island County Assessor



Summary of Overall Key Findings

We first present findings that are applicable to the general analysis and entire MFI overlay. We then present findings that are specific to the underlying base zoning and vary, respectively.

- **Building at a greater density does not always equate to greater financial feasibility.** In most instances, duplexes, triplexes, and townhomes¹³ outcompete stacked multifamily development. Horizontally attached housing types, which are typically less dense than stacked housing types, are generally easier to build and can command a higher price point, as they are typically ownership units.
- **Most development prototypes are infeasible when looking at the average value of improved (developed) land.** Improved land has existing developments that are generating value and redevelopment is unlikely to compete, given the cost to purchase the land and existing structure and the cost to build something new. Therefore, development will most likely only occur on vacant land, and the amount of vacant land is a substantially smaller share of all parcels in the city, though it varies by zone.
- **Adding inclusionary set-aside requirements under the Multifamily Infill Code may limit the production of housing units overall.** The Multifamily Infill Code does create additional value above base entitlements for several prototypes (depending on the underlying base zoning), thereby increasing the potential number of housing units overall. However, adding an inclusionary set-aside requirement in order to access the

¹³ The townhome prototype was 3 stories and is therefore only allowed when accessing the height bonus of the MFI code.

MFI code decreases project feasibility and may incentivize developers to work under the base zoning entitlements instead, which will result in fewer housing units overall.

- **Lower set-aside requirements will be necessary to compete with underlying zoning entitlements.** In order for development under the MFI code (with inclusionary requirements) to outcompete base zoning entitlements, the affordable unit set-aside requirements must be lower than what the current program requires to access the height bonus (effectively 23%). Our analysis shows that a 5% or 10% set-aside of affordable units might create enough value for developers to opt into this voluntary program.
- **Rental housing prototypes are largely infeasible relative to existing average land values and when competing with ownership housing.** The Langley market has seen consistent development of ownership housing development over the years, which proves the market demand for these units. Meanwhile, there has been limited rental development observed in Langley. The rents of new development in nearby markets indicate that rental housing might be feasible in Langley, but our analysis shows that the ownership market in Langley is stronger, meaning that those housing types will create a better investment opportunity.

How to Read the Development Feasibility Results Charts (Exhibits 5 through 8)

The results charts show the value of building under the MFI code relative to average assessed value (of both vacant and improved land) as well as the value of most feasible prototype delivered under base entitlements.*

- Each column shows the RLV per square foot of land of the prototypes delivered under the MFI code – the three prototypes furthest to the right on the X-axis are only allowed if accessing the height bonus of the MFI code.
- There are a cluster of columns per prototype that reflect the different affordability set-asides we tested, including a column for market-rate feasibility (assuming no affordability requirement).
- Each chart shows a set of the same three horizontal lines that are respective to that base zone: (1) the average vacant land price, (2) the value of the most feasible prototype delivered under base entitlements, and (3) the average improved land price.

For development to occur under the MFI code, under different affordability policies, the value must:

- On vacant land – exceed the maximum of either the average vacant land price or the value of the most feasible prototype under base entitlements
- On improved land – exceed the maximum of either the average improved land price or the value of the most feasible prototype under base entitlements

If the value of development under the MFI code is less than the value of the most feasible prototype, that prototype is not feasible.

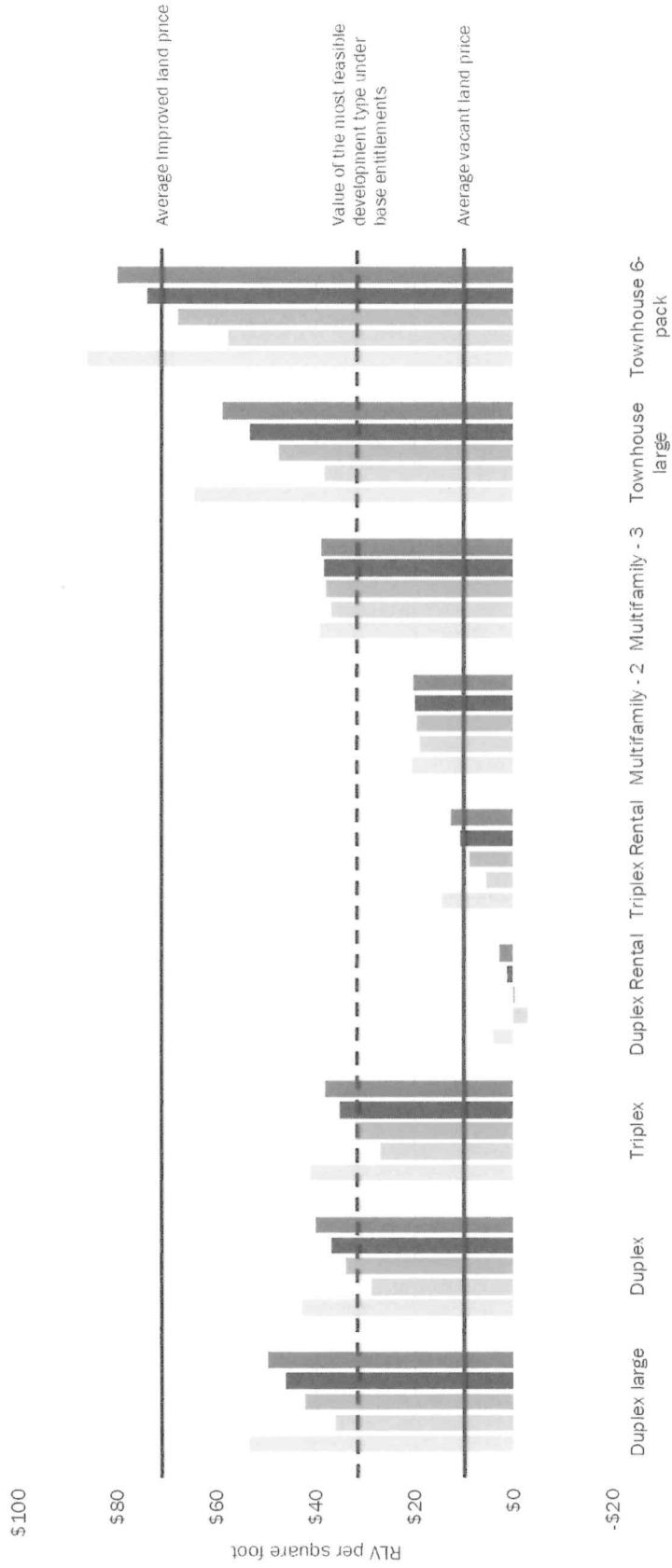
*Note: For charts showing the feasibility of building under the base, by each base zone, reference the Appendix. For the purposes of this report, we picked the value of the most feasible of those prototypes to compare to the feasibility of building under the MFI code. Development under the MFI code will need to be more feasible than building under the base entitlements for developers to voluntarily access the MFI entitlements.

Findings Specific to RS 7200, RM, and NB Zones

- **The MFI code creates an incentive for the RS 7200, RM, and NB zones due to the low effective density of the base zones.** Building under the MFI code (even with potential inclusionary requirements) adds financial value for most prototypes relative to building under the base entitlements. This is largely due to the low effective density thresholds of the underlying zoning.
- **Only townhome development, accessing the height bonus of the MFI code, is feasible under a redevelopment scenario (feasible on improved land).** Generally, ownership townhomes are the only feasible development prototype relative to existing improved land values in the RS 7200 and NB zones, but only if the required set-aside is lowered to less than what is currently required to access the MFI code height bonus.
- **No prototypes are feasible relative to existing improved land values in the RM zone.** The existing average land price for improved land in the RM zone is too high for development under base entitlements or development under the MFI code entitlements.

Exhibit 37: RS 7200 Development Feasibility Results

Source: ECONorthwest



■ Market Rate Feasibility - MFI
 ■ Current Density Bonus - MFI
 ■ 10% set-aside - MFI
 ■ 5% set-aside - MFI

Exhibit 38: RM Development Feasibility Results

Source: ECONorthwest

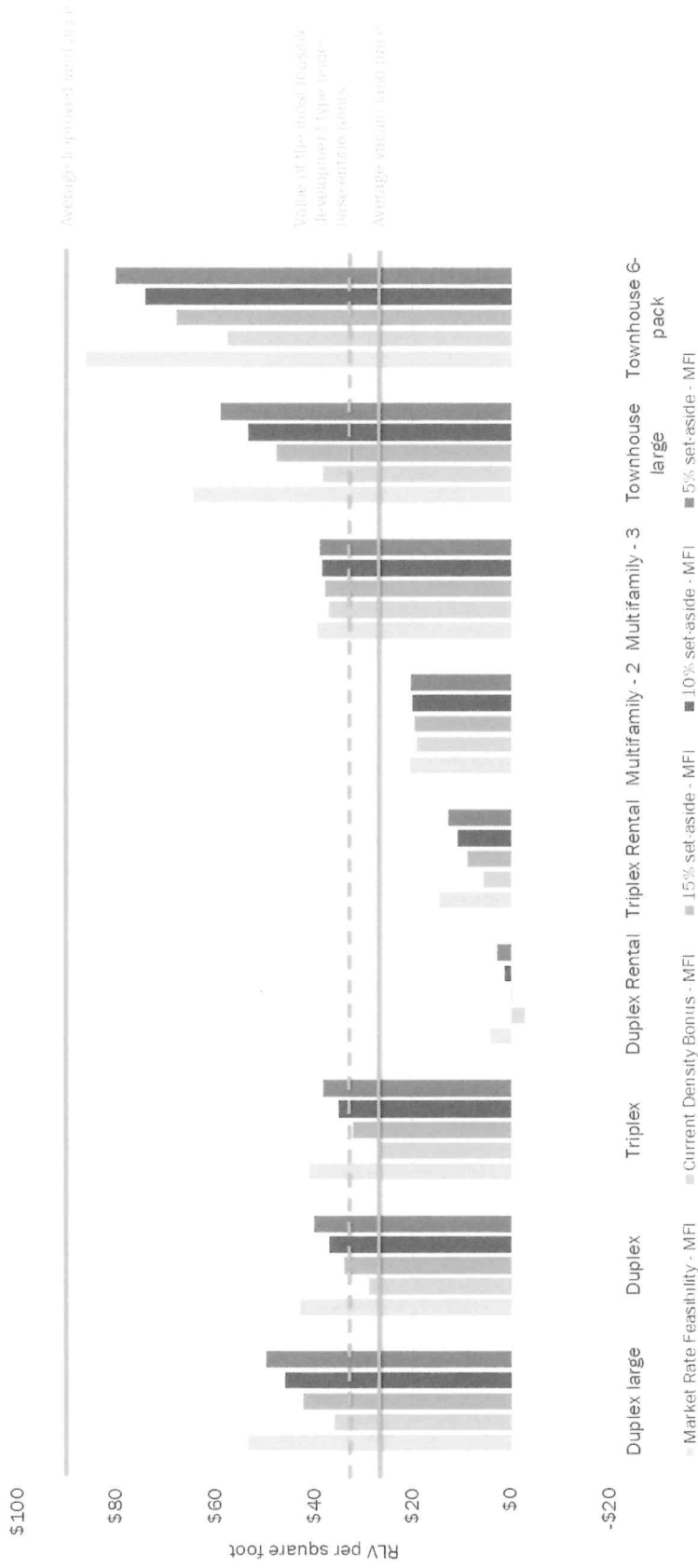
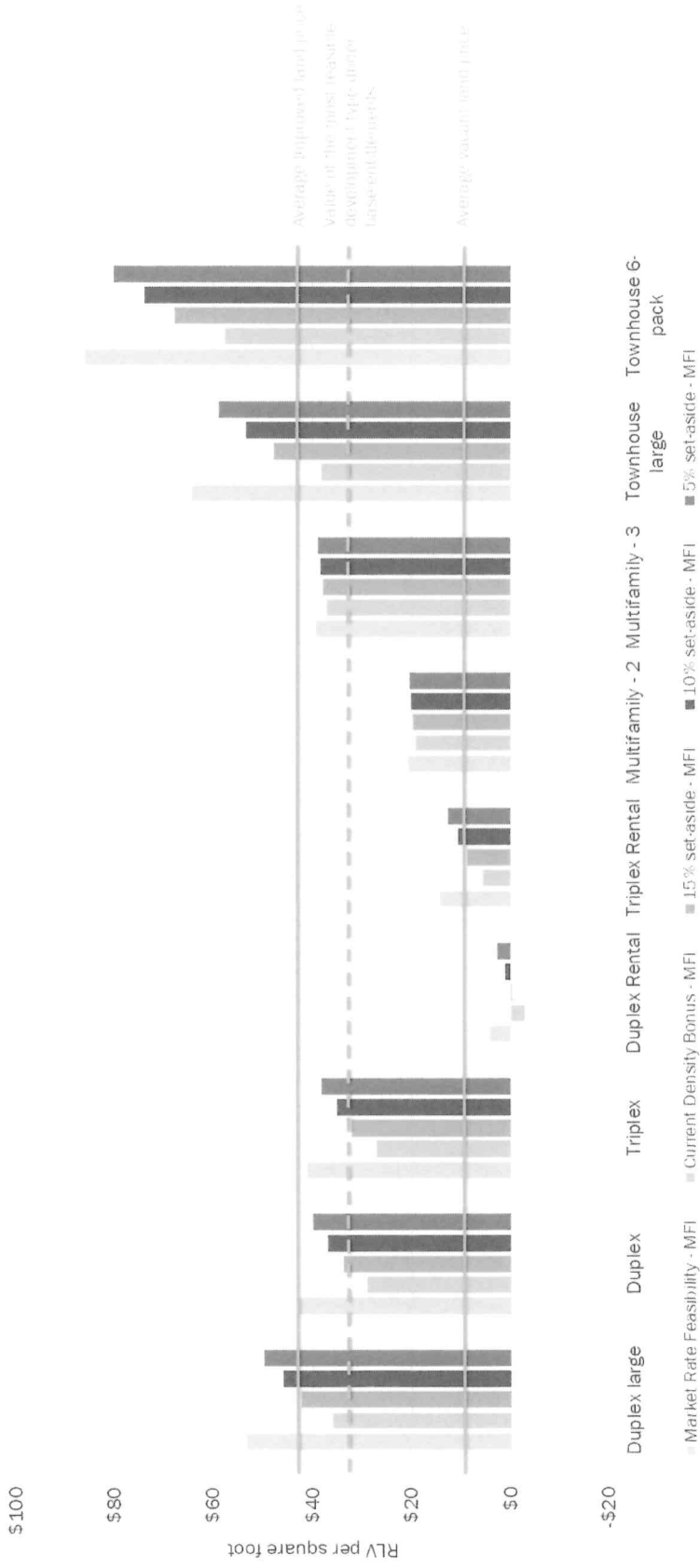


Exhibit 39: NB Development Feasibility Results

Source: ECONorthwest



Findings Specific to RS 5000

- **The MFI code offers little development incentive relative to building under the base entitlements of the RS 5000 zone, as the base zoning is already relatively dense.** Developments using the MFI code can only compete with the underlying zone's entitlements when accessing the 1-story height bonus. This is because the RS 5000 is relatively dense on its own. Ownership townhomes (which we modeled as 3-story units accessing the height bonus) are the only development prototypes that would outcompete developments accessing the underlying entitlements. However, this housing type can only outcompete the base zoning if the set-aside requirement of the height bonus is reduced.
- **Development would likely only be feasible on vacant land, which represents just 9% of parcels in the RS 5000 zone.** None of the development prototypes, or scenarios tested, are feasible relative to the average improved land value in the RS 5000 zone.

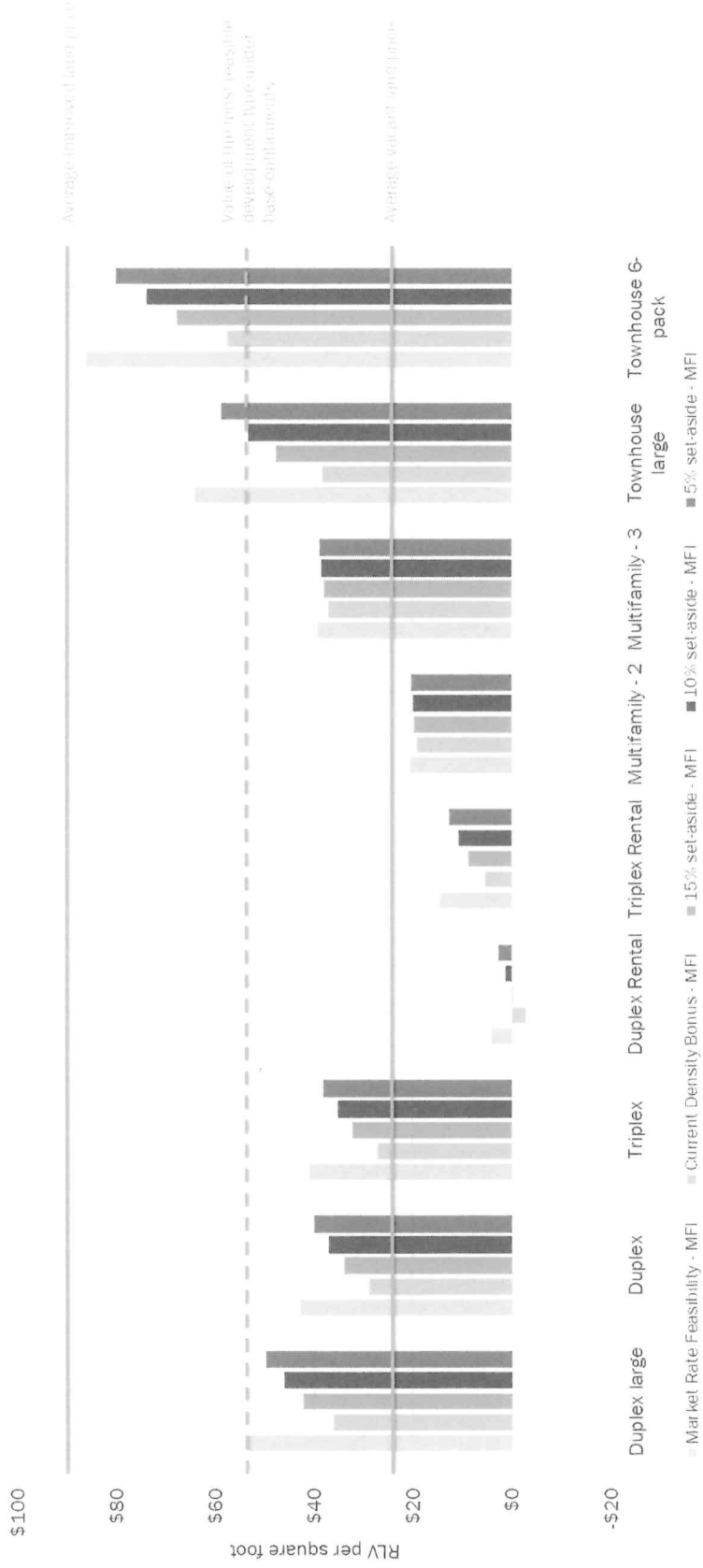
Density in the RS 5000 Zone

The RS 5000 zone allows for a duplex on a minimum lot size of 5,000 square feet, which is an effective density of 17.4 dwelling units per acre. The RS 5000 zone is intentionally denser than the RS 7200, but the effective density of 17.4 DUA also exceeds the density of what is allowed in the RM and NB zones, which has a maximum density limit of 15 DUA.

Although the MFI code does not regulate density by dwelling units per acre, the incentives for building under the MFI code aren't as large relative to the base zoning for RS 5000 as they are for the RS 7200, RM, and NB zones.

Exhibit 40: RS 5000 Development Feasibility Results

Source: ECONorthwest



Considerations

Revising the MFI code to require affordable housing would be considered a voluntary inclusionary zoning program – a developer could voluntarily elect to build under the MFI code instead of building under the base entitlements of the zone. A voluntary inclusionary zoning program relies on development incentives to attract developers to participate in an inclusionary housing program. However, for a developer to elect to participate in a program, the value of the incentives needs to exceed the cost of providing the affordable housing, otherwise the program will not be utilized and developers will build entirely market-rate developments under the base entitlements.

In summary, the analysis results showed varying impacts to development feasibility based on zone, development type, tenure, and set-aside requirements. In establishing a program, the City will need to balance the potential affordable housing benefits of a program against the overall potential impacts to housing production.

It is important to note that the results of this analysis represent favorable development assumptions in a few ways:

- The existing land values, both improved and unimproved, are based on assessor data. However, land does not always trade close to its assessed value, especially in tight markets. Therefore, land is likely to sell at higher price points than assumed in the analysis, which could further reduce development feasibility. This may be especially true in the NB zone where observed land values are much lower than in other zones. Additional study would be required to understand potential land prices, but that is outside the scope of this analysis.
- The MFI code can only be applied to sites that have sewer availability. The land value analysis includes parcels that may not have sewer availability and might have a lower assessment. This means that the average assessed land values used in the analysis would likely be higher if sewer availability was controlled for, which could also further constrain development feasibility.
- Since Langley hasn't seen recent multifamily rental apartments built, we assumed reasonable market rents based on new construction apartments from other nearby markets. These rents might not be achievable in Langley – if rents are lower, multifamily development would be less feasible than what is shown in our analysis.
- Complying with affordability requirements, regardless of the set-aside, creates additional burdens on development feasibility that are hard to quantify – primarily with program compliance. Developers who work outside of metro markets are more unlikely to have staff capacity or expertise to sort through affordable housing requirements to then analyze if they are financially feasible. These requirements also create ongoing operating costs, as leasing staff typically need to income-qualify tenants and report their

compliance to the City on an annual basis. Our analysis did not consider the additional staffing needs of the developer to analyze and comply with affordable housing program requirements.

- Our proforma analysis tested set-aside requirements of 5%, 10%, 15%, and 23%. In reality, most programs require that if an affordable set-aside percent resulted in a partial unit, the developer rounds up to be a full unit. For example, a 10% set-aside in a 6-unit development would mean 0.6 units, so most programs would require the developer provides one full unit. However, one full unit out of 6 units is actually a 16.6% set-aside, not a 10% set-aside. Similarly, if a 10% set-aside was required for a duplex, one full unit in a duplex would actually be a 50% set-aside. Our modeling did not account for this rounding requirement, and the results are therefore more favorable.
- We modeled an efficient development that generally complied with the zoning code. Multifamily buildings are currently limited to 6 units in the MFI code, but the comparable developments in the surrounding area make more efficient use of stairs and non-leasable area when built with 8 units within two stories and 12 units within three stories.

Recommendations

The analysis does not support a broad approach to convert the existing Multifamily Infill Code to a voluntary inclusionary zoning program.

Langley is struggling to both attract and incentivize housing development in general. The City is struggling to *attract* development, likely because of its challenging location and lack of comparable development that could help minimize perceived risk. This creates barriers for accessing labor, materials, and adequate project financing. The City is struggling to *incentivize* development (which could help overcome the perceived risk) due to existing development regulations related to building height, density standards, and lot coverage that limit flexibility and project potential. Developing the MFI code was a helpful incremental step, but as the analysis shows, the incentives in the MFI code aren't enough to help projects overcome existing land values even without affordability requirements.

Additionally, development in Langley, including market-rate development, is largely only feasible on vacant land, given the observed land values. The amount of vacant land varies by zone, but the range is only 9 to 21 percent of parcels. This means that development of any kind can only occur on a very limited amount of land in the MFI overlay. This would limit the outcome of any affordability goals the City may have. While the existing MFI code offers enough incentives to overcome existing *improved* land values in very limited instances, layering on affordability requirements will put projects on developed (or underdeveloped) land further out of reach.

If the City adds an affordability requirement to access the MFI code, it is more likely that developers will forgo the MFI code altogether and build under the base entitlements. An inclusionary program poses the risk of stymieing development under the MFI code (an overlay

code that was initially created to incentivize greater housing production). This will likely result in no new affordable units and severe underbuilding, constraining the overall housing supply in Langley and exacerbating the City's affordability issues outlined in the Housing Needs Assessment. For these reasons, ECONorthwest does not recommend the City implement an inclusionary program for the entire MFI code.

However, the analysis does support an opportunity to improve the *existing* voluntary inclusionary policy within the MFI code to realize more market-rate housing development and limited affordable housing development.

While ECONorthwest does not recommend converting the entire MFI code to a voluntary inclusionary program, the City could take a more incremental approach instead by making small changes to the existing voluntary inclusionary height bonus. The current affordability set-aside requirements (effectively 23 percent – discussed in more detail in the previous section) for accessing the one-story height bonus under the MFI code are much higher than what even large cities with strong housing markets require. The City could consider reducing the set-aside requirements down to 10 or 15 percent, which could create enough value in some instances for developers to opt in. The City should also consider implementing a set-aside requirement based on a percentage of units rather than a percentage of floor area. A percent of floor area will always result in a physical unit count, therefore a set-aside requirement based on units is more straightforward for developers to calculate and include in their development proposal.

The City could experiment with implementing a voluntary inclusionary program (outside of the existing height bonus) under the MFI code, but it should establish tailored conditions that are supported by this analysis.

As covered under the first recommendation, the analysis does not support a scenario in which the *entire* MFI code is subjected to an inclusionary program, because it will further constrain the City's housing supply and therefore worsen ongoing affordability challenges by increasing competition among the existing housing stock. However, since feasibility results varied by zone, it is possible to take a zone-based approach for implementing an inclusionary program while establishing a maximum set-aside of 5 percent. The conditions should also account for constraints of small infill developments and the general smaller scale of projects that are typical for Langley. To address this, the City should set a minimum scale of development that would need to comply with the inclusionary program. For example, only projects with 10 units or more would be subject to affordability requirements. This would avoid artificially increasing the effective set-aside for smaller projects like duplexes or triplexes. The City should also remove the unit caps within the MFI code, as the code already regulates the number of units possible within a development with density, building height, and lot coverage. The current standard is also limiting developments utilizing the MFI code from accessing the height bonus because the number of allowed units does not increase when accessing the additional floor. Other zoning amendments could include increasing density and maximum lot coverage.

If the City does choose to implement an inclusionary program under the existing MFI code, in any form, staff will need to provide adequate support to make the program accessible to the

type of developers likely to work in Langley, otherwise they may be deterred by the effort. The City will need to provide clear expectations on how to determine and report on tenant eligibility and gauge the need for standardized reporting forms. In addition, clear information on program eligibility requirements, such as how to restrict rents for the affordable units being set aside, could help make the program more understandable and predictable.

To avoid constraining housing supply, but deliver affordable housing, the City should consider adopting an MFTE program.

Instead of implementing an inclusionary program, the City could offer a multifamily housing property tax exemption program (MFTE). Recent legislative changes have allowed for a couple MFTE program options to be available to Langley – 12-year MFTE (with 20% of units affordable to low or moderate-income households) or 20-year MFTE (with at least 25% of units permanently affordable). Based on recent ECONorthwest analysis in other cities, the property tax exemption creates an incentive for development, even with a 20% set-aside requirement. Depending on the implementation, Langley could see more uptake of the MFTE program at a greater set-aside than development under the MFI code with a lower set-aside.

Exhibit B
Planning Advisory Board Findings of Fact



City of Langley

Planning Advisory Board

To: The Langley City Council

From: Greg Easton, Planning Advisory Board Chair

Meeting Date: June 7, 2023

Subject: Recommendation to the Langley City Council Regarding Proposed Housing Action Plan

SUMMARY

The City of Langley received a grant from the Washington State Department of Commerce, funded through House Bill 1923, to create a Housing Action Plan (HAP) aimed at identifying ways to meet the City's current and future housing needs.

HAPs address local housing needs through strategies and actions to encourage greater housing diversity, affordability, and access to opportunity for residents of all income levels. Langley's HAP project provides a strong foundation for revising policies and implementing strategies within the City's Comprehensive Plan Housing and Land Use Elements, along with other strategic planning efforts.

The HAP project was conducted from 2022 to 2023 to meet the current Washington State Department of Commerce House Bill 1923 grant deadline of June 30, 2023

FINDINGS

1. The Washington State Growth Management Act ("GMA") establishes the following housing goal to guide development and adoption of comprehensive plans and development regulations for cities planning under the GMA:
 - a. Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. RCW 36.70A.020(4).
2. The Washington State Legislature passed ESHB 1923 in 2019 to increase urban residential building capacity and provide additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes.
3. ESHB established RCW 36.70A.600 which outlines the following items that a housing action plan should address:
 - a. Quantify existing and projected housing needs for all income levels, including extremely low-income households, with documentation of housing and household characteristics, and cost-burdened households;
 - b. Develop strategies to increase the supply of housing, and variety of housing types, needed to serve the housing needs identified;
 - c. Analyze population and employment trends, with documentation of projections;

- d. Consider strategies to minimize displacement of low-income residents resulting from redevelopment;
 - e. Review and evaluate the current housing element adopted pursuant to RCW 36.70A.070, including an evaluation of success in attaining planned housing types and units, achievement of goals and policies, and implementation of the schedule of programs and actions;
 - f. Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups; and
 - g. Include a schedule of programs and actions to implement the recommendations of the housing action plan.
4. ESHB 1923 also provided Washington State funding to assist communities in achieving the objectives of this Bill.
 5. In October of 2021, City staff submitted a grant application to the Washington State Department of Commerce for a Housing Action Plan and Implementation Grant.
 6. The grant application included a letter of commitment from the Langley Mayor, and letters of support from the Langley Chamber of Commerce, Island County Habitat of Humanity, Heritage Bank, Island Transit, Keller Williams, Island County, and the Port of South Whidbey.
 7. The City received an award letter from the Washington State Department of Commerce on October 28, 2021 awarding the City a grant for \$65,625 to prepare a Housing Action Plan and implement two items from that plan in accordance with ESHB 1923.
 8. After Council approval on December 20, 2021, a contract between the City of Langley and the Washington State Department of Commerce was executed on January 11, 2022.
 9. On December 6, 2021, a Professional Services Agreement was executed between the City of Langley and Compass Rose Planning Services Ltd to assist in the development of a public engagement plan and analysis of the public engagement results.
 10. On April 28, 2022, a Professional Services Agreement was executed between the City of Langley and ECONorthwest, a Washington Corporation to assist in the preparation of the Housing Action Plan.
 11. On May 20, 2022, the City finalized a public participation plan which provided for four phases of outreach, outreach methods, and relevant parties to contact about the project.
 12. During the project, the outreach phases were condensed from four to three phases: I. Introduction; II. Needs Assessment and Survey Results; and III. Housing Action Plan and Implementation Item.
 13. Additionally during the project, the original two implementation items were reevaluated; with funding for the SEPA thresholds item reallocated to further analysis of the housing survey results and the inclusionary zoning ordinance replaced by an ordinance to establish emergency, transitional, and supportive housing land uses.
 14. Project outreach included the formation of focus groups based around community sectors and included: businesses; government entities; community organizations; affordable housing developers; market rate developers, contractors, architects, and consultants; realtors, brokers, and lenders; environment and sustainability; and community members and those experiencing housing instability. In total, focus groups consisted of about 45 participants.

15. Each outreach phase included meetings with the Planning Advisory Board, community meetings, and meetings with focus groups, while Phase II included a housing survey.
16. Over the course of the three phases, eleven meetings were held with the Planning Advisory Board, two community meetings, eighteen focus group meetings, and five council member interviews.
17. In total, 440 comments from interviews, community, and focus group meetings, 443 survey responses, and 35 email submissions were received.
18. Outreach summary reports were created for each of the three outreach phases as well as a final engagement report.
19. A Housing Needs Analysis and Inclusionary Zoning Analysis Memorandum were produced to support the development of the Housing Action Plan.
20. A SEPA Determination of Non-Significance was issued on May 4, 2023, with a 14-day public comment period in which no comments were received.
21. The Housing Action Plan does not require separate review by the Washington State Department of Commerce, but rather will be reviewed by the agency under the grant requirements.
22. The City of Langley's adopted Housing Element of the Comprehensive Plan provides for the following goals to guide housing development in the City:
 - a. H-1: Work to provide a mix of housing in Langley and facilitate residential development in the form of single-family homes, duplexes, condominiums, apartments, townhouses, tiny homes, ADU's, housing that allows people to age in place, and other innovative forms of housing;
 - b. H-2: Seek opportunities to ensure that various types and densities of housing are permitted in sufficient numbers to meet projected housing needs, while maintaining the character of existing neighborhoods;
 - c. H-3: Encourage new subdivisions and neighborhoods that are designed to be pedestrian oriented and maintain a development pattern consistent with promoting a sense of community and safety;
 - d. H-4: Enable the opportunity for affordable housing for a diversity of residents within the city of Langley;
 - e. H-5: Work with Island County and other appropriate agencies to increase opportunities for residents with special housing needs;
 - f. H-6: Encourage the development of housing and neighborhoods that reduces consumption of water, energy and other resources and are less impactful on the natural environment; and
 - g. H-7: Encourage the creation of mixed-use neighborhoods that integrate a mix of housing types, densities, including affordable housing units, limited commercial services, and access to recreation.
23. The Housing Action Plan is consistent with the City's Comprehensive Plan and categorizes actions under four goals:
 - a. Support the Development of Diverse Housing Types;
 - b. Support Income-Restricted Affordable Housing Development;
 - c. Support Housing Preservation and Anti-Displacement Strategies; and

- d. Address Emergency, Transitional and Supportive Housing Requirements.

CONCLUSION

The City of Langley Planning Advisory Board has reviewed the proposed Housing Action Plan, deliberated, and considered public hearing testimony, and hereby recommends that the Langley City Council adopt a Resolution to establish the enclosed Housing Action Plan in accordance with the Washington State Department of Commerce House Bill 1923 grant.

Respectfully submitted through the Langley Community Planning & Building Department to the Langley City Council, pursuant to RCW 35A.63.020, this ___ day of _____, 2023 by,



Greg Easton
Chair, Langley Planning Advisory Board

Enclosures:
Housing Action Plan and Appendices

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, ADOPTING A NEW LMC CHAPTER 18.25A PERFORMANCE STANDARDS – SUPPORTIVE HOUSING FACILITIES, AND AMENDING LMC SECTIONS 18.01.040, 18.22.130, AND 18.22.165 TO ESTABLISH NEW DEFINITIONS, LAND USE CATEGORIES, AND PERFORMANCE STANDARDS FOR COMMUNITY RESIDENTIAL FACILITIES, EMERGENCY HOUSING, EMERGENCY SHELTERS, PERMANENT SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING IN ACCORDANCE WITH STATE LAW; ADOPTING FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Growth Management Act (“GMA”) establishes the following housing goal to guide development and adoption of comprehensive plans and development regulations for cities planning under the GMA, “Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock”; and

WHEREAS, the Washington State Legislature passed ESHB 1923 in 2019 to increase urban residential building capacity and provide additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes; and

WHEREAS, ESHB 1923 also provided Washington State funding to assist communities in achieving the objectives of this Bill; and

WHEREAS, in October of 2021, City staff submitted a grant application to the Washington State Department of Commerce for a Housing Action Plan and Implementation Grant; and

WHEREAS, after Council approval on December 20, 2021, a contract between the City of Langley and the Washington State Department of Commerce was executed on January 11, 2022; and

WHEREAS, the original grant objectives included the implementation of two action items from the proposed Housing Action Plan, raising the city’s SEPA thresholds for minor new development and establishing an inclusionary zoning ordinance; and

WHEREAS, during the project, a grant amendment was executed to amend the two implementation items; funding for the SEPA thresholds item was reallocated to further analysis of the housing survey results and the inclusionary zoning ordinance was replaced by an ordinance to establish emergency, transitional, and supportive housing land uses; and

WHEREAS, E2SHB 1220 was signed into law in 2021 to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations; and

WHEREAS, RCW 35.21.689, which was adopted in 2019, states that “a city may not prohibit permanent supportive housing in areas where multifamily housing is permitted”; and

WHEREAS, E2SHB 1220 added “transitional housing” to the provisions of RCW 35.21.689 and extended the geographic scope as follows, “a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed”; and

WHEREAS, E2SHB 1220 also includes the following provisions, “effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit”; and

WHEREAS, the City of Langley’s zoning code was silent on emergency shelters, emergency housing, transitional housing, and permanent supportive housing; and

WHEREAS, a SEPA Determination of Non-Significance for the code amendments included in this proposed ordinance was issued on May 4, 2023, with a 14-day public comment period in which no comments were received; and

WHEREAS, a draft of the ordinance was submitted for review by the Washington State Department of Commerce, and adjustments were made to the ordinance based on the comments received; and

WHEREAS, the following ordinance establishing community residential facilities, emergency housing, emergency shelters, transitional housing, and permanent supportive housing is consistent with the Langley Comprehensive Plan; and

WHEREAS, the PAB considered the staff report and public comments received prior to issuing its findings of fact and recommendation to the City Council; and

WHEREAS, on June 7, 2023, the PAB issued written Findings of Fact and Recommendation (“Recommendation”), a copy of which is attached hereto as Exhibit B and by this reference incorporated herein, wherein the PAB recommended that the City Council adopt the proposed amendments to LMC Chapters 18.01, 18.09, and 18.22, and specifically adopt a new LMC 18.25A (performance standards – supportive housing facilities); and

WHEREAS, on June 19, 2023, 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, Adopted. The City Council adopts the Planning Advisory Board’s Findings of Fact and Recommendation attached hereto as Exhibit B, as its own findings and conclusions pertaining to these issues.

Section 2. New LMC 18.25A (Performance Standards – Supportive Housing Facilities), Created and Adopted. A new Chapter 18.25A of the Langley Municipal Code is hereby adopted as set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth herein.

Section 3. LMC 18.01.040, Amended. Langley Municipal Code Section 18.01.040, is hereby amended to amend the definition of “Adult family home” and adopt the definitions of “Community residential facility,” “Emergency housing,” “Emergency shelter,” “Permanent supportive housing,” “Supportive housing facilities,” and “Transitional housing,” all as set forth in Exhibit A attached hereto and

incorporated by this reference as if fully set forth herein. The remainder of LMC 18.01.040 shall remain in full force and effect as currently adopted or hereafter amended.

Section 4 LMC 18.09.010, Amended. Langley Municipal Code Section 18.09.010, is hereby amended as set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth herein.

Section 5 LMC 18.22.130, Amended. Langley Municipal Code Section 18.22.130, is hereby amended as set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth herein.

Section 6 LMC 18.22.165, Amended. Langley Municipal Code Section 18.22.130, is hereby amended as set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth herein.

Section 4. 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 5. 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 6. 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 20th DAY OF JUNE, 2023.

CITY OF LANGLEY

Scott Chaplin, Mayor

ATTEST

Darlene Baldwin, Interim City Clerk

EXHIBIT A
Amendments to LMC Chapters 18.01, 18.09, and 18.22,
and establishment of new LMC 18.25A

Chapter 18.01
INTRODUCTION

Sections:

- 18.01.010 Purpose.**
- 18.01.020 Scope.**
- 18.01.030 Rules for interpretation.**
- 18.01.040 Definitions.**

...

18.01.040 Definitions.

“Accessory building” means a building which is subordinate to the principal building, and is incidental to the use of the principal building on the same lot. Examples include sheds, shops, garages, greenhouses and barns.

...

“Adjacent” means having a common endpoint or border where the extension of the property lines of the licensed premises contacts that common border.

“Adult family home” means a regular family abode of a person or persons who are providing personal care, room, and board to more than one but not more than ~~four~~ six adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of ~~six~~ eight adults may be permitted if the Washington State Department of Social and Health Services determines that the home is of adequate size and that the home and the provider are capable of meeting standards and qualifications set forth in Chapter 18.22.

“Affordable housing” means housing that meets the current criteria of the United States Department of Housing and Urban Development (HUD) and the state of Washington. Affordable housing is classified according to household income groups as follows: very low income – households below 50 percent of the area median income; low income – households between 50 and 80 percent of the area median income; lower income – households between 81 and 95 percent of the area median income; middle income – households between 96 and 120 percent of the area median income. “Median household income” means the amount calculated and published by HUD each year for the Island County statistical area as the median household or family income, adjusted by HUD for household size.

...

“Community open space” means an outdoor area permanently dedicated for public use. Community open space types are defined by the combination of certain physical conditions including their intended use, size, landscaping, and relationship to streets and buildings.

Community open space, types of:

1. Community open space, conservancy. "Conservancy" means a natural preserve available for unstructured recreation. A conservancy may serve an equally important role of preservation of critical areas, provision for wildlife corridors, stormwater management and other sustainability goals.
2. Community open space, green. "Green" means a civic space for unstructured recreation, social engagement, and community events. Greens are spatially defined by landscaping rather than buildings.
3. Community open space, square. "Square" means a civic space for unstructured recreation, social engagement, and community events. Squares are spatially defined streets and buildings and usually located at the center of a neighborhood.
4. Community open space, playground. "Playground" means a civic space designed and equipped for the recreation of children. Playgrounds may be located within a larger civic space or located independently.
5. Community open space, community garden. "Community garden" means a civic space used for the cultivation of fruits, vegetables, plants, flowers, and herbs by multiple users. Community gardens may be located within a larger civic space or located independently. Community gardens may be temporarily located on vacant parcels.

"Community residential facility (CRF)" means publicly or privately operated residential facilities, limited to adult family homes; foster homes; group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims.

"Conditional use" means a use allowed in one or more zones which, because of characteristics peculiar to such use, the size, technological processes or equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special permit in order to provide a particular degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

...

"Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or occupancy agreement.

"Emergency shelter" means an indoor facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day cooling and warming centers that do not provide overnight accommodations.

“Encroach” means to break the plane of a regulatory limit with a structural element, so it extends into a setback, right-of-way, or other regulatory limit.

...

“Party of record” means any person who has submitted oral or written comments on a permit subject to the regulations of this chapter.

“Permanent supportive housing” means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident’s health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.

“Person” means any person, firm, business, corporation, partnership or other association or organization, marital community, municipal corporation, governmental agency or partnership and its agents or assigns.

...

“Submerged lands” means land at or below the ordinary high water mark.

“Supportive housing facilities” means a collective term for the following housing types, emergency housing, emergency shelters, permanent supportive housing, permanent supportive housing small scale, transitional housing, transitional housing small scale as defined in LMC 18.01.040.

“Tavern” means an establishment with special space and accommodation for sale by the glass and for consumption on the premises of beer, as herein defined.

...

Townhouse. See the definition of “dwelling, single-family (attached).”

“Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has its purpose facilitating the movement of homeless persons and families into independent living.

“Use” means the purpose which land or structures now serve or for which it is occupied, maintained, arranged, designed or intended.

...

“Zone” or “zone district” means a defined area of the city within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in this title.

...

**Chapter 18.09
 LAND USES**

Sections:

18.09.010 Land uses.

18.09.010 Land uses.

| CITY OF LANGLEY Land Uses | ZONING DISTRICTS | | | | | | | | | | |
|---|------------------|----|-----|-------------------|--------|--------|---------|--------------------|-------|-------|-------|
| | CB | NB | P-1 | Mixed Residential | RS5000 | RS7200 | RS15000 | NB Retail Overlay* | PUD-L | PUD-M | PUD-H |
| Accessory Dwelling Unit | S | S | S | S | S | S | S | X | S | S | S |
| Adult Family Homes | S | S | X | S | S | S | S | X | S | S | S |
| Boardinghouses | X | P | X | P | P | P | P | X | X | P | X |
| Brewery | P | X | X | X | X | X | X | X | X | X | P |
| Campgrounds | X | X | CU | X | CU | CU | CU | X | X | X | X |
| School | X | CU | P | CU | CU | CU | CU | X | CU | CU | CU |
| Community Residential Facility | P | P | X | P | P | P | P | X | P | P | P |
| Cultural Facilities | P | P | P | X | X | X | X | X | X | CU | P |
| Church | X | CU | CU | CU | CU | CU | CU | X | CU | CU | X |
| Day Care Centers | P | P | X | CU | CU | CU | CU | X | CU | CU | P |
| Duplexes | X | X | X | P | P | P | P | X | P | P | P |
| Duplexes on lots of 7,200 square feet or larger | X | X | X | X | P | P | P | X | P | P | P |
| Emergency Housing | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Emergency Shelter | CU | CU | X | X | X | X | X | X | X | CU | CU |
| Foster Homes | S | S | X | S | S | S | S | X | S | S | S |
| Green Building Systems | S | S | S | S | S | S | S | S | S | S | S |
| Health Clubs | P | P | X | X | X | X | X | X | X | P | P |

City of Langley Council Meeting- Draft Agenda
 Tuesday June 20th, 2023 5:30pm

| CITY OF LANGLEY Land Uses | ZONING DISTRICTS | | | | | | | | | | |
|--|------------------|----------|----------|-------------------|---------------|---------------|----------|--------------------|---|----------|----------|
| | CB | NB | P-1 | Mixed Residential | RS5000 | RS7200 | RS15000 | NB Retail Overlay* | PUD-L | PUD-M | PUD-H |
| Home Day Care | S | S | X | S | S | S | S | X | S | S | S |
| Hotels, Motels | P | P | X | X | X | X | X | X | X | P | P |
| Libraries and Museums | P | P | P | CU | X | X | X | X | X | P | P |
| Lounge | S | S | X | X | X | X | X | X | X | S | S |
| Makerspace | X | X | X | X | X | X | X | X | X | X | P |
| Medical-Dental Clinics | P | P | X | X | X | X | X | X | X | P | P |
| Multifamily Dwellings | S | P | X | P | See Ch. 18.13 | See Ch. 18.13 | X | X | P | P | P |
| Nurseries | X | P | X | X | X | X | X | X | X | X | P |
| Nursing Homes | X | CU | X | CU | CU | CU | CU | X | CU | CU | X |
| Offices | P | P | X | X | X | X | X | X | X | P | P |
| Parking Facilities | P | P | P | X | X | X | X | X | X | X | P |
| <u>Permanent Supportive Housing</u> | <u>P</u> | <u>P</u> | <u>X</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Market | P | X | P | X | X | X | X | X | X | P | P |
| Services | P | P | X | X | X | X | X | X | X | P | P |
| Public Facilities | P | P | P | CU | CU | CU | CU | X | CU | CU | P |
| Public Parks and Open Space Areas | P | P | P | P | P | P | P | X | See Table 3 in Section <u>18.26.060</u> | | |
| Schools and Grounds, Administrative Offices and Related Facilities | X | X | P | X | CU | CU | CU | X | CU | CU | X |
| Residential Zone Offices | X | X | X | X | CU | CU | CU | X | P | P | P |
| Restaurant (exclusive of fast food and drive-in) | P | P | X | X | X | X | X | X | X | P | P |
| Retail | P | X | X | X | X | X | X | P | X | P | P |

| CITY OF LANGLEY | ZONING DISTRICTS | | | | | | | | | | |
|--|------------------|----|----|-----|-------------------|--------|--------|---------|--------------------|-------|-------|
| | Land Uses | CB | NB | P-1 | Mixed Residential | RS5000 | RS7200 | RS15000 | NB Retail Overlay* | PUD-L | PUD-M |
| Retreat/Conference Center | P | P | P | X | X | X | CU | X | X | X | P |
| Senior Retirement Facilities | P | P | X | CU | CU | CU | CU | X | CU | P | P |
| Service Stations | CU | CU | X | X | X | X | X | X | X | X | X |
| Short-Term Rental Type I (Rooms) | X | X | X | P | P | P | P | X | P | P | P |
| Short-Term Rental Type II (B&B Inns) | P | P | X | CU | CU | CU | CU | X | X | P | P |
| Short-Term Rental Type III (Commercial) | P | P | X | X | X | X | X | X | X | P | P |
| Short-Term Rental Type IV (Limited) | X | X | X | P | P | P | P | X | P | P | P |
| Single-Family Dwellings | X | X | X | X | P | P | P | X | P | P | X |
| Social and Recreational Facilities | P | P | P | X | X | X | X | X | X | P | P |
| Social Service Facilities | X | CU | P | CU | CU | CU | X | X | CU | CU | X |
| Taverns | P | X | X | X | X | X | X | X | X | X | P |
| Theaters | P | X | X | X | X | X | X | X | X | X | P |
| Tiny Home | X | X | X | X | P | P | P | X | P | P | X |
| Tiny Home (on a lot with an existing single-family or duplex dwelling) | X | S | X | X | S | S | S | X | S | S | X |
| Tiny Home (multifamily) | X | P | X | P | P | P | P | X | P | P | X |
| Transitional Housing | P | P | X | X | P | P | P | X | P | P | P |
| Type I and II Home Occupations | S | S | S | S | S | S | S | X | S | S | S |
| Type III Home Occupations | CU | CU | CU | CU | CU | CU | CU | X | CU | CU | CU |
| Veterinary Clinics for Small Animals | P | P | X | X | X | X | X | X | X | X | P |

| CITY OF LANGLEY | ZONING DISTRICTS | | | | | | | | | | |
|---------------------------------------|------------------|----|-----|-------------------|--------|--------|---------|--------------------|-------|-------|-------|
| | CB | NB | P-1 | Mixed Residential | RS5000 | RS7200 | RS15000 | NB Retail Overlay* | PUD-L | PUD-M | PUD-H |
| Wellness Retreat | CU | CU | CU | X | X | X | P | X | X | P | P |
| Winery | P | X | X | X | X | X | CU | X | X | X | P |
| Winery Bar | P | P | X | X | X | X | X | X | X | X | P |
| Wireless Communication Antenna Arrays | S | S | S | S | S | S | S | X | X | X | X |

P – Permitted

S – Secondary

CU – Conditional Use

X – Not Permitted

*All uses permitted in the NB zone are also permitted in the NB retail overlay zone

Note: Prior to establishing a new use, other sections of the municipal code may apply.

...

18.22.130 Parking Requirements

A. Applicability.

...

C. Residential Requirements.

1. Single-family dwellings shall have two spaces per dwelling unit;
2. Multiple Residential.
 - a. Duplexes and townhouses shall have two spaces per dwelling unit;
 - b. One-bedroom dwelling units shall have one and one-half spaces per dwelling unit;
 - c. Two or more bedroom dwelling units shall have two spaces per dwelling unit;
3. Boardinghouses shall have one space per bed;
4. Retirement, nursing and related housing, see Section 18.22.210 for parking requirements.
5. Community residential facilities shall have one space per dwelling unit;
6. Supportive housing facilities.

- a. Emergency housing and emergency shelters shall have one space per ten beds and one space per staff member based on the maximum number of staff on shift at any given time.
- b. Permanent supportive housing and transitional housing shall have one space per dwelling unit.

...

18.22.165 Adult Family Home Community Residential Facilities

A. Application. The provisions of this section shall apply to all "group homes" in the City of Langley, which are classified as "community residential facilities (CRF)."

1. Community residential facilities include all uses as defined by LMC 18.01.040, Definitions, including adult family homes; foster homes; group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims.
2. CRFs do not include the following uses as defined by LMC 18.01.040, Definitions, including emergency housing, emergency shelters, transitional housing, and permanent supportive housing facility.

B. CRF Requirements.

1. Occupancy Limits. Adult family homes may house up to six (6) residents plus two (2) caregivers, with the special exception that state-licensed adult family homes may have a maximum of eight adults if the Washington State Department of Social and Health Services determines that the home is of adequate size and that the home and the provider are capable of meeting standards and qualifications set forth in this Chapter. All other CRFs are limited to occupancy by one family per dwelling unit per the definition of family in LMC 18.01.040.
2. Each CRF shall meet all applicable state and local licensing, zoning, building, and housing codes, and fire safety regulations. It is the responsibility of the provider to meet all state and local codes.
2. Appearance. In the RS5000, RS7200, and RS 15,000 zones, CRFs are required to be a single-family or duplex structures.
3. Parking. For the minimum number of required parking spaces, see 18.22.130.C.5. Any parking spaces in excess of two (2) shall be landscaped in accordance with 18.22.140.F.

5. Adult family homes. The following additional requirements apply to adult family home facilities.:

A. a. An adult family home provider is a person who is licensed by the state of Washington to operate an adult family home. The provider shall reside at the adult family home unless an exception is authorized by the State Department of Social and Health Services (DSHS) for good cause. A provider shall not be licensed for more than one adult family home unless an exception is authorized by the DSHS for good cause.

B. b. For the purposes of this section, an adult is a person 18 years of age or older.

C. Each adult family home shall meet all applicable local licensing, zoning, building, and housing codes and state and local fire safety regulations. It is the responsibility of the provider to meet local codes.

...

18.25A Performance Standards – Supportive Housing Facilities

Sections:

18.25A.010 Purpose and Applicability.

18.25A.020 General Requirements for all Supportive Housing Facilities.

18.25A.030 Additional Requirements for Emergency Housing and Emergency Shelters.

18.25A.040 Additional Requirements for Permanent Supportive and Transitional Housing.

18.25A.010 Purpose and Applicability.

- A. The purpose of this section is to establish reasonable standards for the safe operation and appropriate siting of supportive housing facilities within the City of Langley, so as to protect public health and safety for both facility residents and the broader community. This section does not include regulations for community residential facilities regulated by LMC 18.22.165.

As defined in LMC 18.01.040, “Supportive Housing Facilities” includes emergency housing, emergency shelters, permanent supportive housing, and transitional housing in permanent structures.

18.25A.020 General Requirements for all Supportive Housing Facilities.

A. General

1. When a site includes more than one type of supportive housing facility, the more restrictive requirements of this section shall apply.
2. Specific needs of each facility will be reviewed through the conditional use permit process in LMC 18.28. The decision maker may relax one or more of the standards in this subsection, only when the applicant submits a description of the standard to be modified and demonstrates how the modification would result in a safe facility with minimal negative impact to the host community under the specific circumstances of the application. In considering whether the modification should be granted, the decision maker shall first consider the effects on the health and safety of facility residents and the neighboring communities. Modifications will not be granted if the adverse impact on residents of the facility and/or neighboring communities will be greater than without such modification. The burden of proof is on the applicant.
3. All supportive housing facilities must comply with the provisions of Title 15 LMC, Buildings and Construction.
4. Supportive housing facilities in the RS15000 zone shall be either single family residential or duplex structures.
5. Supportive housing facilities in the RS5000 or RS7200 zones shall be either single family residential or duplex structures. Other housing structure types for supportive housing facilities may be permitted in the RS5000 or RS7200 zones when built in accordance with the standards of LMC 18.13, Multifamily Infill Form-Based Code Overlay.
6. All supportive housing facilities are subject to design review in accordance with Chapter 18.34 LMC, except in the following circumstances:
 - a. Supportive housing facilities in the RS5000, RS7200, or RS15000 zones, and
 - b. Supportive housing facilities built in accordance with the standards of LMC 18.13, Multifamily Infill Form-Based Code Overlay are not subject to the design review process of Chapter 18.34 LMC.

7. As a condition of approval, all supportive housing facilities shall participate in the Homeless Management Information System (HMIS) to support coordinated case management to better serve the homeless population.
- B. Site and Transit
1. Facilities shall match the bulk and scale of residential uses allowed in the zone where the facility is located. The design, construction, appearance, physical integrity, and maintenance of the facility shall provide an environment that is, sustainable, functional, appropriate for the surrounding community, and conducive to tenants' stability.
 2. If provided, exterior lighting must comply with LMC 18.24.030, be directed downward, and glare must be contained within the facility site to limit the impact on neighboring properties.
 3. The minimum number of off-street parking spaces required for each facility shall be provided in accordance with section 18.22.130.C.6 LMC.
 4. A description of transit, pedestrian, and bicycle access from the subject site to services must be provided at time of application by the sponsor and/or managing agency.
- C. Facility Operations
1. The sponsor or managing agency shall comply with all federal, state, and local laws and regulations, including Island County Department of Health regulations. The sponsor or managing agency shall be subject to inspections by local agencies and/or departments to ensure such compliance and shall implement all directives resulting therefrom within the specified time period.
 2. The possession or use of illegal drugs at an emergency housing or shelter facility or the property occupied by the facility is prohibited.
 3. The sponsor or managing agency must provide an operation plan at the time of application that adequately addresses the following elements:
 - a. A 24 hour emergency contact number maintained by the sponsor or managing agency;
 - b. Roles and responsibilities of key staff;
 - c. Site/facility management, including security policies and an emergency management plan;
 - d. Site/facility maintenance;
 - e. Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
 - f. Provision for human and social services, including staffing plan, credentials or certification, and outcome measures;
 - g. Outreach with surrounding property owners and residents and ongoing good neighbor policy;
 - h. A plan for addressing reported concerns and documenting resolution;
 - i. Criteria for rejection or removal of an individual seeking access to the facility; and
 - j. Procedures for maintaining accurate and complete records.
 4. Sponsors or managing agencies shall demonstrate applicable experience providing similar services to people experiencing homelessness.

5. Sponsors or managing agencies shall demonstrate a stable funding source for the facility and any on-site or off-site human and social services offered as part of the operations plan.
6. The organization managing and operating the facility must develop coordination plans with the Police and Fire Departments including protocols for response to the facility and to facility residents throughout the City.

18.25A.030 Additional Requirements for Emergency Housing and Emergency Shelters.

In addition to the requirements under LMC 18.25.020, emergency housing and emergency shelters shall comply with the following requirements.

A. Facility Standards.

1. The occupancy, spacing of beds, and paths of egress for emergency shelters shall be established on a case-by-case basis by the city building official in accordance with the International Building Code requirements for assembly occupancy.
2. The occupancy for emergency housing shall be in accordance with the International Building Code for transient residential occupancy (R1).
3. The maximum number of residents shall be based on facility size, building occupancy, available utilities, and parking.

B. Facility Operations.

1. Service providers must exercise reasonable and appropriate on-site supervision of facilities and program participants at all times.
2. Rodent-proof trash receptacles must be provided in multiple locations throughout the facility and site. A regular trash patrol in the immediate vicinity of the site must be provided.
3. Residents and staff must comply with all Island County Health Department requirements related to food donations.
4. No children under the age of eighteen (18) are allowed to stay overnight in the facility, unless accompanied by a parent or guardian, or unless the facility is licensed to provide services to this population. If a child under the age of eighteen (18) without a parent or guardian present attempts to stay in a facility not specifically licensed for providing housing to youth, the sponsor and/or managing agency shall immediately contact Child Protective Services and actively endeavor to find alternative housing for the child.
5. No person under court supervision or under sex offender registration requirements can receive services from a provider, unless providing such services is consistent with the laws, regulations, and/or supervisory requirements related to such persons.
6. Two large first-aid kits must be kept onsite which include emergency eye wash bottles and naloxone (Narcan) kits. Staff must be trained in how to administer the naloxone.
7. The possession of any of the weapons described in RCW 9.41.280(1) at an emergency housing or shelter facility or the property occupied by the facility is prohibited.
8. Secured area for dry supplies storage (blankets, clothing, food, first-aid) shall be provided.
9. ADA complaint aisles shall be provided between sleeping structures and shall be accessible by emergency services personnel.

10. If facility operations result in a significant increase in the need for local law enforcement service, the organization managing and operating the facility will coordinate with the City on ways to address the increased need for services.

C. Facility Services.

1. Residents shall have access to the following services on site; if not provided on site, transportation shall be provided:
 - a. For all facilities, medical services, including mental and behavioral health counseling;
 - b. For emergency housing facilities, access to resources on obtaining permanent housing and access to employment and education assistance; and
 - c. For emergency shelter facilities, substance abuse assistance.
 2. All functions associated with the facility, including adequate waiting space, must take place within a building.
 3. The number of toilets and other hygiene facilities required for each facility will be determined by the city building official in accordance with the requirements of the International Building Code.
 4. Facilities serving more than five (5) residents shall have dedicated spaces for residents to meet with service providers.
- D. The sponsor or managing agency shall coordinate with the homelessness service providers for referrals to their program and with other providers of facilities and services for people experiencing homelessness to encourage access to all appropriate services for their residents.

18.25A.040 Additional Requirements for Supportive and Transitional Housing.

In addition to the requirements under LMC 18.25.020, supportive and transitional housing shall comply with the following requirements.

A. Facility Standards.

1. The total number of dwelling units for a facility shall be subject to the density standards of residential uses allowed in the zone where the facility is located.
2. The multi-family housing performance standards of Chapter 18.25 LMC shall apply to all facilities with more than three (3) dwelling units.

B. Facility Services.

1. All residents shall have access to appropriate cooking and hygiene facilities.
2. Facilities serving more than three (3) dwelling units shall have dedicated spaces for residents to meet with service providers.
3. Residents shall have access to the following services on site or shall be provided transportation to such services by the sponsor or managing agency:
 - a. Medical services, including mental and behavioral health counseling.
 - b. Employment and education assistance.
4. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the residents and not available for drop in use by non-residents

Exhibit B
Planning Advisory Board Findings of Fact



City of Langley

Planning Advisory Board

To: The Langley City Council

From: Greg Easton, Planning Advisory Board Chair

Meeting Date: June 7, 2023

Subject: Recommendation to the Langley City Council regarding proposed ordinance to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with RCW 35.21.683

SUMMARY

The City of Langley received a grant from the Washington State Department of Commerce, funded through House Bill 1923, to create a Housing Action Plan (HAP) aimed at identifying ways to meet the city's current and future housing needs. Through this grant, the city also committed to implementing an action from the plan. For this implementation item, city staff and the Planning Advisory Board (PAB) recommend an ordinance to comply with HB 1220, allowing for emergency, transitional, and supportive housing as new land uses.

FINDINGS

1. The Washington State Growth Management Act ("GMA") establishes the following housing goal to guide development and adoption of comprehensive plans and development regulations for cities planning under the GMA:
 - a. Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. RCW 36.70A.020(4).
2. The Washington State Legislature passed ESHB 1923 in 2019 to increase urban residential building capacity and provide additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes.
3. ESHB 1923 also provided Washington State funding to assist communities in achieving the objectives of this Bill.
4. In October of 2021, City staff submitted a grant application to the Washington State Department of Commerce for a Housing Action Plan and Implementation Grant.
5. After Council approval on December 20, 2021, a contract between the City of Langley and the Washington State Department of Commerce was executed on January 11, 2022.
6. The original grant objectives included the implementation of two action items from the proposed Housing Action Plan, raising the city's SEPA thresholds for minor new development and establishing an inclusionary zoning ordinance.


7. During the project, a grant amendment was executed to amend the two implementation items; funding for the SEPA thresholds item was reallocated to further analysis of the housing survey results and the inclusionary zoning ordinance was replaced by an ordinance to establish emergency, transitional, and supportive housing land uses.
8. E2SHB 1220 was signed into law in 2021 to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations.
9. RCW 35.21.689, which was adopted in 2019, states that "a city may not prohibit permanent supportive housing in areas where multifamily housing is permitted."
10. E2SHB 1220 added "transitional housing" to provisions of RCW 35.21.689 and extended the geographic scope as follows:
 - a. A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.
11. E2SHB 1220 also includes the following provisions:
 - a. Effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.
12. The City of Langley's zoning code was silent on emergency shelters, emergency housing, transitional housing, and permanent supportive housing.
13. A SEPA Determination of Non-Significance was issued on May 4, 2023, with a 14-day public comment period in which no comments were received.
14. A draft of the ordinance was submitted for review by the Washington State Department of Commerce, and adjustments were made to the ordinance based on the comments received.
15. The City of Langley's adopted Housing Element of the Comprehensive Plan provides for the following goals to guide housing development in the City:
 - a. H-1: Work to provide a mix of housing in Langley and facilitate residential development in the form of single-family homes, duplexes, condominiums, apartments, townhouses, tiny homes, ADU's, housing that allows people to age in place, and other innovative forms of housing;
 - b. H-2: Seek opportunities to ensure that various types and densities of housing are permitted in sufficient numbers to meet projected housing needs, while maintaining the character of existing neighborhoods;
 - c. H-3: Encourage new subdivisions and neighborhoods that are designed to be pedestrian oriented and maintain a development pattern consistent with promoting a sense of community and safety;
 - d. H-4: Enable the opportunity for affordable housing for a diversity of residents within the city of Langley;
 - e. H-5: Work with Island County and other appropriate agencies to increase opportunities for residents with special housing needs;

- f. H-6: Encourage the development of housing and neighborhoods that reduces consumption of water, energy and other resources and are less impactful on the natural environment; and
 - g. H-7: Encourage the creation of mixed-use neighborhoods that integrate a mix of housing types, densities, including affordable housing units, limited commercial services, and access to recreation.
16. The proposed ordinance establishing community residential facilities, emergency housing, emergency shelters, transitional housing, and permanent supportive housing is consistent with the Langley Comprehensive Plan.

CONCLUSION

The City of Langley Planning Advisory Board has reviewed the proposed code amendments, deliberated, and considered public hearing testimony, and hereby recommends that the Langley City Council adopt via ordinance the enclosed code amendments to establish new definitions, land use categories, and performance standards for community residential facilities, emergency housing, emergency shelters, permanent supportive housing, and transitional housing in accordance with RCW 35.21.683.

Respectfully submitted through the Langley Community Planning & Building Department to the Langley City Council, pursuant to RCW 35A.63.020, this ___ day of _____, 2023 by,



Greg Easton
Chair, Langley Planning Advisory Board

Enclosures:
Recommended Code Amendments

112 Second Street
P.O. Box 366
Langley, WA 98260
(360) 221-4246
Fax (360) 221-4265



Scott Chaplin, Mayor
mayor@langleywa.org

Memo

To: Langley City Council

From: Scott Chaplin

Date: 6/20/2023

Re: Fees for Commercial Renewable Energy Projects in Langley

It recently came to my attention that there was a disconnect between fees the county charges for commercial renewable energy project permits and what is charged in the City of Langley. The City's rates are approximately 10 times higher. I have discussed this matter with Planning Director Penny and she has recommended the following revisions to the City's fee structure. There are no significant impacts anticipated on the City's finances due to this proposed change, and in fact. I view this revision as a housekeeping matter and I recommend that Council pass the following resolution so as to not discourage any new commercial solar projects within City limits.

CITY OF LANGLEY, WASHINGTON

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF LANGLEY, WASHINGTON,
Amending The Municipal Building Code Fee Schedule, Chapter 3.25 of
the Langley Municipal Code.

WHEREAS, the City Council has declared that there is a climate crisis, and that clean renewable energy can play a pivotal role in reducing green house gas emission; and

WHEREAS, the City of Langley's fee structures for commercial renewable energy installations are significantly higher than of those in the County for similar projects; and

WHEREAS, the City Council wishes to encourage both residential and commercial renewable energy installations while also recovering costs associated with permitting; and

WHEREAS, the City Council of the City of Langley has previously adopted a Fee Schedule which includes every fee charged by the City with the exception of Land Use Fees which are enumerated on a separate schedule in the Code; and

WHEREAS, the Council finds that it is in the best interests of the City and its citizens to amend that fee schedule related to building permits;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Langley, Washington as follows:

The current Building Permit Fee Schedule is contained in Exhibit A, attached hereto and incorporated herein by reference and will take effect on June 20, 2023.

PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY and approved by the Mayor at a regularly scheduled public meeting this ____ day of _____, 2023.

Scott Chaplin, Mayor

ATTEST:

Darlene Baldwin, Interim Clerk

Resolution No. ____ Amending Building Permit Fee Schedule as revised on
6/20/2023



City of Langley

MEMORANDUM

To: Langley City Council and Mayor Scott Chaplin
From: Randi Perry, Director of Public Works
Re: Island County Stormwater Outfall and Edgecliff Waterline.
Meeting Date: June 20, 2023

The purpose of this memo is to provide recommendations to efficiently comply with franchise #1(3) request to remove, replace, or protect a portion of waterline on Edgecliff Drive in conflict with Island County's stormwater outfall project.

The 2018 Water Comprehensive Plan includes project W-5 which replaces 6100 LF of existing asbestos concrete watermain with new 8-inch watermain on Edgecliff Drive from Camano to Wilkinson Road. The project planning and construction is being conducted together with the Langley Infrastructure Project and is numbered LIP-13. Council and staff determined that due to the complexity of the section between city limits and Wilkinson Road this portion of the project would be done later, as a stand-alone project, where rerouting and/or alternate construction methods can be more thoroughly vetted.

Island County plans to upgrade their storm water outfall located just east of City limits. Their design includes a supporting structure under the roadway that when finished will be less than a foot from our waterline. The county has requested the city provide a replacement, relocation, or protection in place plan to manage the conflict in accordance with Franchise #1(3) agreement. This request is being made because asbestos piping can be easily damaged when exposed or subject to vibration. I met with Davido Consulting Group on June 14 to discuss the best approach forward. The following options were discussed.

1. Relocate the waterline to the northern edge of the right of way for the length of the identified conflict. This approach eliminates conflict during construction and provides additional space between the waterline and the bluff. This approach has issues with thrust blocking and elevation concerns that may be problematic down the road.
2. Provide a layer of protection around the existing pipe. This will involve exposing the length of the waterline and installing an insulation layer around it.
3. Replace a section of asbestos concrete with C900 pipe. This approach includes installation of an isolation valve at City limits, installing a bypass around the construction zone and reinstalling the section of pipe following construction.

On June 15th I met with Island County Engineer Matthew Lander and discussed the construction and coordination approach. The most efficient way forward is for Island County to amend their current permit to include the waterline work which will take place in the permitted area of disturbance. The city will provide a plan set including plans for demolition of the existing section of pipe, installing the bypass, and reinstalling the section in the same location. This plan set will be included in the Island County project bid documents and process. Davido Consulting Group has produced mapping and investigation of this area to roughly the 60% benchmark as the consulting engineer for the Langley Infrastructure Project. Island County will provide a draft agreement for our review.

STAFF RECOMMENDATION: Move forward with intent to enter into an agreement with Island County to be the bidding agency. Move forward to drafting a complete scope and contract with Davido Engineering Group to complete the plan set as outlined for this location. Move to utilize budgeted LIP-13 (Edgecliff water line replacement) funds from 405.

112 Second Street
P.O. Box 366
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Scott Chaplin, Mayor
mayor@langleywa.org

Memo

To: Langley City Council
From: Scott Chaplin
Date: 6/20/2023

Re: Recommendation for the hiring of a City Administrator

After consulting with an ad hoc hiring committee, senior staff and council members, I am recommending Mark Rentfrow for the position of City Administrator. I had an amazing hiring team that included input from the following individuals:

Michelle Myers, City of Lynnwood Finance Director

Michael Jones, Island County Administrator

Barbara Seitle, former planning commissioner, councilmember, and mayor of a small community in California

Chris Carlson, Chair of the Finance and Personnel Commission with an Executive Master's in Public Administration

Walt Blackford, PSE Outreach manager former Langley City Administrator

Kyle Walker, former Assistant City Administrator and state level government official

Toyan Copeland, retired business owner with experience in finance

The City received over 60 applications for this position. The process was quite extensive and included a cover letter/resume screening, phone interview, Zoom interview with the hiring committee, skills test and meet and greets with staff and council members. Although there were several candidates that were qualified for the position, it is my opinion that Mr. Rentfrow is the best fit for the City's long-term needs.

Mr. Rentfrow earned an MBA from Pacific Lutheran University in 2012 and has an extensive background in both the public and private sectors. His career began with work rooted in customer service for local institutions such as Amazon and Starbucks— and then shifted to the public service realm where his passions lie. He currently works for the Washington State Public Works Board at the Department of Commerce as the Program Director for traditional infrastructure. Additionally, he served as the interim program director for broadband infrastructure. He spent six years with the City of Olympia as the Economic Development Liaison and Downtown Ambassador Program Manager. He also worked for the Thurston County Economic Development Council for five years after leaving the private sector. Please find attached his resume and cover letter.

Tonight, I am asking you to approve of my recommendation for this position.

May 25, 2023

City of Langley
112 Second St
Langley, WA 98260

Re: City of Langley – City Administrator Recruitment

The Honorable Mayor Scott Chaplain,

I am contacting you to express my interest in the City of Langley's City Administrator position. I believe that the culmination of my personal and professional experiences makes me well qualified to lead and help strengthen the "Village By the Sea", into the next decade and beyond.

I was born and raised in Olympia, Washington, however I've spent every summer of my life traveling to Whidbey, where my family first laid their roots in the 1960's. I've always been drawn to Langley which holds a special place in my heart, from visits to the Island County Fair as a child to more recently as a competitor and current world champion in the annual Soup Box Derby races (Whidbey Island Pirate Academy). My lifelong connections to the island inform my understanding of Langley's community values along with the diverse interests that must be balanced in order to successfully develop innovative strategies for growth and sustainability that benefit everyone.

In my current role as Program Director at the Washington State Public Works Board (PWB), I'm responsible for administering funds from the Public Works Assistance Account (known also as the Public Works Trust Fund). This includes opening and managing loan funding cycles, rating and ranking project applications, and underwriting projects to ensure fiscal solvency and reduce risk. I manage a team of project managers who are responsible for nearly 100 state construction contracts with a combined value of over 500M. I serve as the Board's Tribal Liaison and have had numerous experiences in tribal relations which has helped me gain an understanding of tribal relationships, which is essential for any city executive in the State of Washington. I've been engaged in management level Diversity Equity and Inclusion (DEI) training over the past year and am now implementing it within the Board's management framework as well as amongst Board members and staff. I'm prepared to lead the next generation of community partners and civic leaders in a more fair and equitable future.

Before joining the PWB at the Department Commerce, I worked for the City of Olympia as Economic Development Liaison and Project Manager for the City's Economic Development team. I also served as Program Manager for the City's award-winning Downtown Ambassador and Clean Team programs. I worked closely with city council members and executive City staff to shape the vision for Olympia's downtown. I have over a dozen years of experience working within and navigating the council/board format. I managed and procured contracts for the City's Homeless Point in Time count, Downtown Sanitation Master Plan, Alley Lighting, COVID Safe

Sidewalk Dining projects, Economic Development Website, Downtown Flower Basket program, City murals, and more. I've helped write and pass city ordinances, create policy, and strengthen the City's comprehensive plan through Olympia's Planning Commission and have had countless opportunities to make public presentations to elected officials and the business community.

During the pandemic shutdown of 2020 I led an inter-local team from the City of Olympia to assist the Thurston Economic Development Council and the Small Business Development Center (SBDC) in providing technical assistance to small businesses across the state. This work was essential for helping small businesses navigate and access a variety of available grants including multiple rounds of Working Washington (Department of Commerce) and Thurston Strong (Thurston County) small business grants, as well as small business grants for the City of Lacey, Olympia and others. This work exemplified the power of collaboration between public private partnerships and provided a framework for how to move forward during uncertain economic times.

During my time with the Thurston Economic Development Council I honed my Enterprise management experience by establishing and overseeing operations for the PAC 5 Energy Network; a partnership between the Pac 5 region's 5 ADO's which worked with local utilities to promote energy efficiency rebates and savings opportunities for businesses and residents.

As City Administrator I will lean into my experiences working in municipal and state government, business administration, team leadership, project management, customer service, contracting, and non-profit grant writing. I will leverage my expertise and contacts to ensure that the City of Langley has all of the resources it needs to maintain and sustain its vibrant community. I also understand the challenges that businesses and entrepreneurs face in our current economy and recognize the enormous potential for success within the region.

My professional and community outreach activities have helped me understand the challenges that today's Washington communities face. My commitment to community can also be seen in my work as a member of the Saint Martin's University School of Business Advisory Board, as a graduate of the Thurston Chamber's Leadership Thurston County program, as a Cub Scout Den Leader, and as a member of the City of Olympia's Heritage Commission.

This is an exciting opportunity to use my experience and vision to serve a community I love. There's no place I'd rather live and raise my family than the Pacific Northwest. This position is an opportunity to continue the great work that the City of Langley has undertaken in recent years and strengthen the entire Island County region. I look forward to sharing my qualifications and vision with you in greater detail.

Sincerely,



Mark Rentfrow

MARK J. RENTFROW



PROFILE

Current Program Director at the Washington State Public Works Board. Oversees contracting and administration of the State Public Works Trust Fund. Former Economic Development Liaison and Program Manager for the City of Olympia. MBA graduate of Pacific Lutheran University with a diverse skill set and experience with Fortune 100 companies, startups, and small businesses alike. Experienced public speaker. Effective manager and team leader. Proven to be an adaptable and effective team player with the ability to think creatively and solve problems in a diverse and collaborative environment. Highly professional and repeatedly recognized for outstanding performance, leadership, and customer service. Strong promoter of small business initiatives, local growth, economic sustainability, and community resilience. Core Competencies: Relationship Building - Team Supervision and Management - Project Management – Contract Administration - Customer Service and Support - Business Administration - Strategic Analysis and Forecasting - Marketing and Communications

EDUCATION

Pacific Lutheran University, Tacoma, Washington, 2010

Master of Business Administration (MBA) - Entrepreneurship and Closely Held Enterprises

Pacific Lutheran University, Tacoma, Washington, 1999

Bachelor of Arts (BA), Business Administration: Marketing and New Venture Management

PROFESSIONAL EXPERIENCE

Public Works Board (PWB) 2021 – Present

Program Director: Traditional Infrastructure, (Interim) Program Director: Broadband

Oversee the contracting and administration of Washington State's Public Works Trust Fund; a 500M infrastructure revolving construction loan fund for cities, counties, municipalities, and special purpose districts within the State of Washington. Oversaw the contracting, administration, and rulemaking processes of the Broadband Arm of PWB for 14 months.

Manage a team of PWB Contract Managers who oversee 80-100 open contracts at a given time with a valuation of nearly 1B in underwriting.

Coordinate Board committee meetings and monthly agenda items for full Board meetings including contract amendments, extensions, and scope of work reviews. I assemble and lead ad hoc teams for the rating and ranking of funding applications and webinar presentations.

Serve as the Tribal Liaison and official tribal contact for the Public Works Board and ensure that all PWB contracts are in compliance with state regulations and executive orders. Official records coordinator for PWB at Department of Commerce.

City of Olympia 2015 - 2021

Economic Development Liaison, Downtown Ambassador Program Manager

Economic Development Liaison for the City of Olympia intersecting with a variety of stakeholders including elected officials, tribal governments, business professionals, business owners, social service providers, City staff, professional organizations, boards and nonprofit agencies.

Downtown Ambassador Program Manager providing administrative support and supervision for 4 employees to fulfill the City's mission of a creating a positive business climate and a "Welcoming Downtown for All" through public engagement and small business outreach.

Member of Thurston Strong Regional Economic Recovery Task Force and the City of Olympia's COVID19 strategic business re-opening and resilience planning team. Collected business information and provided technical assistance to grant applicants for federal, state, and local COVID related grants and served as a technical resource for small businesses.

Project Manager (PM) for Olympia's Sidewalk Café and LCB fence-free outdoor dining initiatives. PM for Olympia's Business Improvement Area initiatives (City mural collection, holiday lighting, hanging flower baskets, business surveys). Contract Manager for Homeless Point in Time count, Downtown Sanitation Master Plan and public restrooms. Additional projects and strategic initiatives include: EPA Brownfield Grant support, Downtown Strategy implementation, Armory Creative Campus acquisition, Thurston County Courthouse project, Alcohol Impact Area accreditation, business owner and stakeholder outreach, homeless services coordination, higher education partnerships, and general community outreach.

Thurston Economic Development Council 2011 - 2015

Program Manager, Thurston Energy and Pac 5 Energy Programs

Promoted Energy program goals of helping customers realize financial savings, sustainability, and energy conservation for residential and commercial buildings through science-based energy efficiency upgrades in a variety of diverse communities.

Responsibilities included: Creating and managing the program vendor networks, coordinating projects among WSU Grant Administrators, customers, vendors, and utilities; developing strategies and implementing programs, recruiting program vendors, making public presentations and responding to customers in a timely and professional manner.

Eco Woodworks, Tumwater, Washington 2009 - 2011

Business and Operations Manager

Managed all business and administrative aspects of Eco Woodworks including strategy, project management, accounting, scheduling, procurement, marketing, customer relations and website. Applied practices of lean and just in time production to increase annual net revenue by 29% over a three-year cycle.

BOARDS AND AFFILIATIONS

Saint Martin's University School of Business Advisory Board (2022 – Present)
City of Olympia Arts Culture and Heritage (ArCH) group Founding Member: 2019
Boy Scouts of America, Den Leader Pack 9266: 2017- 2020
Thurston Chamber, Leadership Thurston County Graduate: 2015
City of Olympia Heritage Commission: 2011-2015
South Capitol Neighborhood Association President: 2011-2015
Design Review Board, Washington Center for the Performing Arts renovation: 2012

PROFESSIONAL CERTIFICATIONS

Department of Commerce - Washington State Contract Management, 2021
Thurston Economic Development Council: Business TuneUp Graduate, 2019
Washington Cities Insurance Authority: Certified Supervisory Skills, 2018
Center for Business & Innovation: Business Scaleup, 2017
IEDC: Foundations of Economic Development, Marketing and Attraction, Business Retention and Expansion, 2013-2016

AWARDS

1st Place Winner: PLU School of Business - Business Plan Competition, 2014



Staff Report

To: Langley City Council and Mayor Scott Chaplin
From: Darlene Baldwin, Interim City Clerk
Re: Staff Report
Meeting Date: Council Meeting June 20, 2023

Cemetery

- Researched and corrected documentation in Cemetery records for several families
- Plots sales and inquiries have been steady, 19 plots sold to date
- Alex Cattand has made progress on the GIS map for the cemetery

Event Permit Applications Received

- Whidbey Veterans Resource Center 5 K Walkathon - June 17, 9 am-4 pm – Approved
- Adventure Swim – June 24, – Approved
- Ragnar – July 15, – to be approved
- Whidbey Triathlon – July 22nd - Approved

Reporting

- Public Records Requests to Date: 65 - completed & 9 open to be completed
- Lodging Tax Service Agreements are done and going to LTAC for review

Staff

- I have been focusing on finishing up as many tasks as possible and training before my last day
- Tara McDivitt has been covering the front desk while Bob Herzberg has been on vacation
- Bob Hertzberg returns June 26th.

Utility Billing

- Less Late Fees than usual were issued on June 12th.
- Trained Wanda Grone and Tara McDivitt on how to process Late Fees
- Public Works Water Systems Drinking Water System Flush insert was included in the last billing.
- July 10th billing there will be a change in the fee for processing payments with a debit or credit card via Invoice Cloud. This change will allow more residents to pay one fee for their whole bill. This increase will allow payments up to 544.00 with a fee of \$5.95. The fee previously was \$3.95 for a bill up to \$346.00.

City of Langley

112 Second Street
P.O. Box 366
Langley, WA 98260
(360) 221-4246
www.langleywa.org



Scott Chaplin
Mayor
Fax (360) 221-4265

Staff Report

To: Langley City Council
From: Wanda J. Grone, Finance Director
Re: Update
Meeting Date: June 20, 2023

Contractor Darrell Duhm submitted the 2022 City of Langley Annual Report to the Washington State Auditor timely on May 30, 2023, as required by statute. Darrel and I worked together on the financial notes, but Darrel prepared all of the required schedules. I expect to hear from the State Auditor's Office at any time regarding their biannual visit schedule and any field work to be done prior to their onsite presence.

The County Treasurer's Office funded the May collections of property taxes to the City on June 9, which also included real estate excise tax of almost \$34,500 from May property sales.

Discussions were held with the Finance and Personnel Commission (FPLC) June 6 and June 14 regarding an Action Plan related to the restructuring of staffing for finance-related functions and the approved hiring of an Accounting Clerk to provide separation of duties under a good internal controls policy for both Finance and Public Works. The job was posted June 7 and a number of applications have already been received. Interviews begin this week; the position was indicated to be for immediate hiring. I truly appreciate the priority and expediency this matter received from the FPLC and Mayor, and look forward to expanded staffing capacity for financial reporting and transparency once the new employee is on board.

Budget planning should begin within the next month as far as scheduling and it would be helpful to have goals and priorities from Council to assist with the process. The budget document will be modified to include a separate department for the new City Administrator once one is hired, and I would appreciate a discussion about the allocation of internal staffing and administrative costs. There may be a simpler way to allocate overhead costs and provide easier transparency when reviewing financial documents than has been used previously. Regardless, a budget schedule should be determined and put on the calendar by mid-July.

The FPLC also discussed, at my suggestion, reopening the matter of upgrading to a different financial management software. A list of needs and requirements will be put together by interested parties, a Request for Proposals (RFP) will be published, and reviews of the results

will be done in early Fall so that plans can be made to fund the purchase. Besides functionality, it is important (and possible, with the right technology) that management-level users be able to run their own financial and budget reports, or research invoices paid or revenues received by drilling down into the system for supporting electronic documentation. This is just an example of the efficiency that exists in the competitive software market – Langley should at least make itself aware of the options available.

Finally, I have begun a process to allow Solid Waste and Compost coupon purchasers to purchase these items electronically and online. This convenience is easy to set up and hopefully within the next 6 – 9 months, will be available.



To: The Langley City Council

From: Meredith Penny, Community Planning Director

Meeting Date: June 20, 2023

Subject: Update on Work Plan Items and Active Permit Applications

1. Recent Topics of Concern: Bluff Erosion Near DeBruyn Ave Street End

A few Council members and members of the public notified staff of several large blocks of clay that had broken loose from the bluff above and were on the beach, west of the Inn at Langley and east of the DeBruyn Ave street end. On June 15th, staff visited the site and made observations of the situation. The slide appeared to occur on private property at 12 DeBruyn Ave and there is not any city infrastructure in the vicinity which could be threatened. Staff will continue to connect shoreline residents who have questions about managing their shoreline properties with available resources.

2. Update on Ongoing Projects

*More documents and information on any of the below projects can be found here:

https://www.langleywa.org/departments/community_planning_and_building_department/plans_and_projects.php

a. Camping Ordinance Changes

This item was added to the 2023 budget and work plan.

b. Tree Ordinance – Phase I, Monetary Penalties

A first draft of these code changes was presented to PAB at their February meeting. Staff then discussed the ordinance with the City Attorney and learned the ordinance will not require SEPA or a public hearing with PAB. Instead, it can go directly to Council for approval because the changes are only procedural. Although not required, staff presented the final draft to PAB and POSC at their May meetings and will incorporate their feedback before proceeding to Council.

c. Comprehensive Plan Update

Staff contacted the Department of Commerce to confirm the timing for the 2023 funding and were informed funding would be available around July of this year. Staff attended a kick-off webinar with Commerce June 14th. Staff will be coming to PAB and Council with a discussion item on the Countywide Planning Policies in July.

d. Bluff Management Plan

Staff have reached out to the Port of South Whidbey and the Langley Mainstreet Association to see if they may be willing to partner on the study. This would save the City costs, but also help to cover any margin of error, if bids come back higher than the \$30,000 budgeted for. Although conversations with the Port and Mainstreet have not progressed, staff are proceeding with issuing an RFP to get the project moving forward. A Hazard Mitigation Grant Program recently opened in Washington State and jurisdictions specifically named in FEMA's DR-4682 disaster declaration, including all eligible entities located within them are prioritized for funding. This includes Island County. Funding is for activities that reduce the long-term, future impacts of natural disasters and bluff stabilization activities would likely be eligible. Unfortunately, Langley did not participate in the most recent County Hazard Mitigation Plan process and therefore is not annexed to the plan. Therefore, Langley is ineligible for these funds. The next Hazard Mitigation Plan update process will be in 2024, and staff have coordinated with the Island County Department of Emergency Management to confirm the city will participate when that begins.

e. Housing Action Plan

ECONorthwest presented the inclusionary zoning analysis for grant Objective #2 to the PAB, at their March 1st meeting. Based on the results of their analysis, ECONorthwest recommended the city not convert the entire Multifamily Infill (MFI) code into an inclusionary zoning program but did recommend some adjustments to the existing incentives to increase the likelihood of their use. In their discussions, the PAB recommended staff not attempt to address the MFI code as a part of this grant project due to time constraints. The PAB will be drafting an executive summary of their takeaways from the analysis and presenting it to Council at the July 3rd meeting.

As a substitute action in place of grant Objective #2, staff have drafted an ordinance to comply with HB 1220,

allowing for emergency, transitional, and supportive housing.

After Council's public hearing on the Housing Action Plan and supportive housing ordinance, staff will submit all grant deliverables and invoices to the Department of Commerce by June 30th.

f. **Critical Areas Ordinance Update**

At their April meeting, PAB finished reviewing the 2nd draft of the Critical Areas Ordinance. Staff have sent the ordinance to the City Attorney for review and then will publish it for public comments.

3. Other Activities

- Coordinating with CCAC and Kicking Gas Partners on Grant Applications
- Meeting with County on Countywide Planning Policies
- Meeting with volunteer tree ordinance group
- WA Archives webinar, How to Apply for a Local Records Grant
- Meeting with Sno-Isle to coordinate on building permit submittal
- WA Department of Commerce webinar on Talking Race for Planners
- Meet and Greets with City Administrator candidates
- Island County CEDS Meeting
- Coordinating meeting with Coles Valley Applicants
- MRSC webinar on Writing Compelling Grant Applications
- Department of Commerce Periodic Update Kickoff Workshop
- HUD webinar, Introduction to the CDBG Income Survey

4. Update on Permit Applications

a. **Land Use Permits**

i. **Active Land Use Permits**

| | | |
|-----------------------------|---------------------------|------------------------------|
| Site Plan Review – 1 | Flood Development | Binding Site Plan, Final – 1 |
| Administrative Approval - 2 | Permit - 1 | Planned Unit |
| Shoreline Permit – 3 | Critical Areas Permit – 1 | Development – 1 |

A. Administrative Approval – Autodetailing – AA-23-002 – 630 2nd St

On May 1, 2023, staff received an application for a Certificate of Zoning Compliance to establish an automobile detailing business in an existing carport at 630 2nd St under interim ordinance 1106. Staff have routed it for agency comments and are working to issue the permit.

B. Administrative Approval – Sideyard Setback Reduction – AA-23-003 – 724 Edgecliff Dr

On May 18, 2023, staff received an application for an Certificate of Zoning Compliance for an administrative side yard setback reduction two feet six inches to accommodate the expansion of an existing shed. Staff have routed it for agency comments and are working to issue the permit.

C. Shoreline Permit – Bulkhead Replacement – SPX-23-002 - 110 Sunrise Ln.

This permit application was approved and issued on June 2, 2023.

D. Shoreline Permit – Retaining Wall - SDP-22-001 - 202-210 1st St

Staff are waiting for additional information to be submitted.

E. Shoreline Permit – Deck Addition – SPX-23-003 – 600 1st St

This permit application was approved and issued on May 19, 2023.

F. Shoreline Variance – New Deck – SVAR-23-001 – 402 1st

On March 15th an application for a shoreline variance was submitted for a property with an existing non-conforming single-family house. The application is to: install a new deck partially within the 50' steep slope buffer; install a hot tub with roof structure partially inside the 15' steep slope setback; resurface the existing hardscape patio and steps; reduce the footprint of the existing asphalt driveway; replace the asphalt driveway surface with semi permeable pavers; and install a boat lift and kayak storage at the waterfront. Staff have issued a letter of complete application and noticed it for public comments. The comment period concluded June 12th and no comments were received. Shoreline Variances require a public hearing with the Hearing Examiner and a final decision with the Department of Ecology.

G. Shoreline Substantial Development and Variance – Retaining Wall - SDP-23-001 and SVAR-23-002

On May 24th, an application for a shoreline substantial development and shoreline variance was submitted

to install a soldier pile retaining wall and conduct bluff revegetation. On June 12th staff issued a letter of incomplete application and are awaiting the required items. Shoreline Variances require a public hearing with the Hearing Examiner and a final decision with the Department of Ecology.

H. Critical Areas Permit – Langley Infrastructure Project - CA-22-002 – Multiple Locations

Staff have another request for additional information and are awaiting a response.

I. Binding Site Plan, Final – BSP-20-001 FINAL – 107 6th St

The Mayor and staff have signed the approval and the applicants are taking the documents to be recorded at the Island County Auditor’s Office.

J. Recent Design Review Board Decisions

The May Design Review Board meeting was cancelled due to not receiving any applications. Staff also anticipate cancelling the June meeting.

K. Planned Unit Development (PUD) - Coles Valley – Coles Rd - R32904-194-4850

On June 14th, staff received a package of materials responding to the letter of incomplete application issued on September 20, 2022. Per LMC 18.36.015.D, staff have 14 days to review the materials and issue a letter of completeness or identify what additional information is required. This process does not include a detailed review of the application content or its correctness. At this stage staff are only looking to see if the required items have been included in the submittal package.

ii. Anticipated Land Use Applications

A. Site Plan Review - Heron Park, Habitat for Humanity – 3rd St - S8526-00-0000A-0

Since the project is receiving SHOP funds, staff are coordinating the Environmental Assessment process which is required for all HUD-funded projects. Once the environmental assessment is complete, the project will have to apply for a Type I administrative site plan and SEPA review.

B. Site Plan Review & Binding Site Plan – Mixed-Use Development – Cascade Ave - R33034-076-3740

The application will require a site plan review, and if the units are condominiums, then a binding site plan will be required.

C. Zoning Code Amendment - Port of South Whidbey Housing Development – 819 Camano Ave

Staff are coordinating on a contract with Compass Rose Planning Services to process the zoning code amendment.

D. Site Plan Review – Multifamily Infill Cottages – 215 6th Street

Staff held a pre-application conference for seven cottages proposed on a property with two existing dwelling units. The project is proposed under the multi-family infill code and will require a Type I site plan review. If the units are turned into condominiums, a binding site plan will be required.

b. Active Building Permits as of 6/16/23

| | | |
|---------------------------|------------------------|--------------|
| Single Family New: 14 | New Commercial: 1 | Sprinkler: 1 |
| Single Family Remodel: 14 | Commercial Remodel: 11 | |
| New ADU: 3 | Tenant Improvement: 2 | |

Total Active Projects: 46 (does not include over-the-counter permits)

i. Wireless Tower Upgrades - 510 6th St

On May 12, 2023, a representative for Verizon Wireless submitted an Eligible Facilities Requests (EFR) or a “6409” for modifications to the existing facility. 6409 refers to the section of the federal code (adopted under the Spectrum Act in 2012) dealing with the modification of existing wireless facilities. Under Section 6409 of the Spectrum Act, state and local governments are forbidden to deny requests to modify wireless equipment, so long as the modification does not “substantially change the physical dimensions” of the existing tower or facility. In the applicant’s request, they outlined how the modification met the federal criteria to not be classified as a “substantial change.” As long as the proposed modification to the existing facility does not qualify as a “substantial change”, then the applicant qualifies for, and the city must follow, an expedited review process wherein the city may only request materials from the applicant to show that the modification is not a “substantial change”. The city may condition approval of an EFR modification application upon generally applicable building, structural, electrical, and safety codes. In this case, the city has reviewed and provided such conditions through the building permit process. The building permit was issued on June 16th.



City of Langley

MEMORANDUM

To: Langley City Council and Mayor Scott Chaplin
From: Randi Perry, Public Works Director
Re: Staff Report
Meeting Date: June 19, 2023

This memo provides the council with an overview of Public Works activity 5/11/2023 – 6/14/2023.

GENERAL

- Island County requesting waterline relocation or protection plan at Edgecliff Stormwater Outfall – August.
 - o Engineering meeting- SCHEDULED.
- Pumphouse main disconnect replacement –EMERGENCY REPAIR– COMPLETE
 - o Add Motor Control Cabinet replacement to Water Capital replacement schedule.
- WATER SYSTEM FLUSHING JUNE 13-15 - UNDERWAY
- Consumer Confidence Report -DUE JULY 1st – UNDERWAY
- Public Works Board loan application (LIP) – DUE July 7th – UNDERWAY
- Water Use Efficiency Report – submitted - COMPLETE.
 - o 2022 annual production 1,311,100 gallons less than 2021.
 - o Distribution system leakage
 - 2022- 15.6% water loss between production and consumption (7,725,440 gallons)
 - Three-year rolling average from 21.9% to 16.5%
- Treatment Plant Chlorination Pump replacement – ORDERED.
- Seawall Park- Picnic Table Vandalized again – PENDING REPAIR
- Water Pumphouse – VFD replacement – COMPLETE
- PD charging station – Unscheduled/unbudgeted capital project- UNDERWAY.
- Coordinate with PSE for street lighting nodes installed (no charge), working to develop dimming schedule.
- City Hall Foundation Building – COMPLETE
 - o Quotes for brick repair - UNDERWAY
 - o Rear Door Replacement – UNDERWAY
- Puget Sound General Nutrient Permit Discharge Monitoring Report (MAY) – SUBMITTED
- Puget Sound General Nutrient Permit - Ongoing
- NPDES Permit Discharge Monitoring Report (March) – SUBMITTED
- Chlorination Report (April) - SUBMITTED
- Asset Management Implementation– UNDERWAY
- Right of Way Trimming – ONGOING
- Engineering RFQ document preparation – UNDERWAY
- Sewer Comprehensive Plan Amendment RFP- UPCOMING
- Water Use Efficiency Goal – ADOPTED
 - o Action Plan Preparation (PWAC- 5/17/2023) -ONGOING
- Utility Rate Discussion (PWAC – 5/17/2023)- ONGOING
- Franchise Agreements – SHIFT out of Public Works to Admin- Contract Manager

- Whidbey Tel Franchise agreement looks to have expired in 1996 – UPCOMING.
- PSE Franchise agreement – Confirm version with PSE - New Attorney Review - UNDERWAY
- Comcast – Review correct receipt of franchise fees – UNDERWAY.
- Right of Way encroachment – 4th Street extension, 2nd Street, Highview Street, Al Anderson

PROJECTS

- Wastewater Treatment Plant Chlorine Contact Chamber Resurfacing Project –UNDERWAY.
- Safe Streets for All (SS4A) Grant Award to IRTPO–Grant Agreement preparation- UNDERWAY
- Reservoir level indicator repair– Planning UNDERWAY
- Nutrient Optimization Plan and AKART Analysis – Jacobs Engineering (No cost technical assistance)
 - Plant Site visit 3/22
 - Data submission- COMPLETE
 - Draft Deliverables Discussion –PENDING.
- Bluff Management Plan – Pre- project coordination – UNDERWAY
- Solar Grant for City Hall and Library (attended HPC – Supportive) – APPLICATION SUBMITTED
- Library Remodel coordination – UNDERWAY
 - Basement space –MAYOR CHAPLIN taken lead.
 - Bike Rack selection – UNDER REVIEW

Langley Infrastructure Project

- LIP Project coordination with PSE – UNDERWAY
- Local Community Project Grant- Placed in the State budget. Grant details requested & Official Award-PENDING
- Phase 3C (90% Engineering Design) Contract – APPROVED/UNDERWAY
 - Roadway outside Right of Way – Furman and Al Anderson
 - Property Owner Coordination Underway
 - Geotech gather additional data on Al Anderson – COMPLETE
 - PHASE 3C – Staff received Draft 90% plans & cost estimate – POSTED – PWAC meeting 4/19
 - Budget impact analysis- work with FPLC, Finance and PWAC
 - Public Works Board Funding Webinar/application Due 7/7/23 (23-25 biennium)

Public Works Coordination – Private Development

- 6th Street – Felvey – Pre-App – *Fee in lieu Investigation* - UNDERWAY
- 624 (ABC) – ROW improvement – UNDERWAY
- 4th Street Sewer Extension
 - 304 DeBruyn- ROW improvement – UNDERWAY
 - 308 DeBruyn – ROW improvement – UNDERWAY
- 1st street- Fire line/water service coordination- APPROVED – PENDING BPA REPORT
- 233 Bowery Loop – Utility Plan Coordination– PERMITs ISSUED – INSPECTION PENDING
- Cascade – Pre-application meeting- COMPLETE – Plan Submittal- PENDING
- 1122 Al Anderson – Utilities Plan Coordination – ISSUED – METER INSTALLED
- Al Anderson – Community House Utilities – ISSUED – Field Change Request - PENDING
- 722 Camano (Tiny Homes) – *TCO Issued* – Drainage agreement in place- DUE first week July.
- 623 2nd – DADU Application pending Utility Plan
- 426 Melson ADU – Side sewer (offset joint, infiltration, and root intrusion)- REVISED PLAN PENDING
- 3rd Street – Determine Project Compliance.

Emergencies & Call Outs

- 5/27/2023- Wastewater Treatment Plant Power outage
- 6/6/2023-6/09/2023 – Drinking Water Pumphouse Power issue.
- 6/14/2023 – Water service line break Park Avenue



LANGLEY POLICE DEPARTMENT

City of Langley Council Meeting Draft Agenda

Tuesday June 20th, 2023 5:30pm

112 Second Street, PO Box 366

Langley, WA 98260

360.221.4433

Chief of Police: Tavler Wasser

www.langleywa.org



To Council

Reference: Monthly Progress report

A short list of projects worked, completed, created, or participated in. This does not reflect the entire workload or projects that the Langley Police Department have or are currently conducting.

New Topics:

1. Reserved Tesla Model Y (\$~~54,490~~) *Financed*
2. Electric vs Gas studies and statistics <https://afdc.energy.gov/>
3. Need of Civil Service Commission (Chair) & (Chief Examiner/Secretary) (2 open Positions)
4. Began FTO phase for Officer Proffitt
5. FTO Manual Created (Updated)
6. Attended 2023 Washington State Sheriffs and Police Chiefs Conference (Spokane)
7. Created Ordinance for "Usage of drugs in public" creation and submission to lawyer for review (Discussion) (Discontinued due to change made by Governor Inslee)
8. Daily Training Bulletins – Officer daily policy learning tool implemented June 1st
9. VR Community Relation Tool & LE Training Aid up and running (AXON VR)
10. 39 hours of time used on moving items out of Library and organization of LPD (Continuous project)
11. Met w/ SWFE about records contract & PD housing May 17th

Old Topics:

1. Participated in monthly Law & Justice meeting with all Island County law enforcement, mental health, public, and miscellaneous agencies to better serve our communities and pass ideas around.
2. A 5-year plan for the Langley Police Department is coming to completion and should be presentable within the next few council meetings.
3. Emergency Management Plan included into 5-year plan – Disaster Response Committee (4.01.060 LMC) *No ETA*
4. Continued updating numerous legal forms to fall within best practices (voluntary statement forms, reports, etc.)
5. Continued upgrades to the evidence and property system and retention plans are in progress. No ETA for completion.



VOLUNTEER APPLICATION

CITY OF LANGLEY

112 Second St./PO Box 366 Langley, Washington 98260 (360) 221-4246

Position _____ Board/Department Planning Advisory Board Date 6/16/23
 Name: Last Easton First Greg Middle _____
 Street _____ Home Phone _____
 Mailing Address (if different) _____ Email _____
 City Langley State WA
 Are at least 18 years old? Yes No If not, please specify your age _____

BACKGROUND:

Education SCB Applied Mathematics, Brown University
MBA Finance, University of Washington
 Occupation (s): Land Use Economic Consultant (Retired)

Other Volunteer Positions: Washington State Library Commission, Lake Forest Park Planning Commission, Uptown Alliance Exec. Bd.

Hobbies: Biking, Kayaking, hiking, running

Other applicable experience: 45 years professional experience working with Federal, State and local agencies on land use and economic development.

SKILLS:

List Applicable Skills Community planning, economic development planning, impact assessment, and development feasibility.

DESIRE:

Briefly describe why you are interested in volunteering: Recently retired in Langley after 16 years as part-time resident. Interested in working with city partners to provide for sustainable, economically viable, and physically attractive community.

Signature: [Signature] Date: 6/15/20

Approved: [Signature]

[Signature]
 Volunteer Application/Revised 01-22-08
6/16/23

6/16/2023

6/25/20

Exhibit A
For draft Resolution Amending the Municipal Building Code Fee Structure
for Commercial Renewable Energy Projects

BUILDING PERMIT FEES ~~NOVEMBER 7, 2022~~ June 20, 2023

| ONE- AND TWO-FAMILY DWELLING PLUMBING AND MECHANICAL FEES | | | |
|--|--|---|---------------------------------|
| A. Mechanical Permit Fees | | | |
| i. | Permit issuance | Issuance of each permit | 38.00 |
| ii. | Technology Fee | Covers Technology for Permit Processing | Cost + 5% |
| B. Mechanical Unit Fee Schedule | | | |
| i. | Gas Piping (outlet or system) | Per outlet (1-4) | 25.00 |
| | | Per additional outlet (5 +) | 6.00 |
| ii. | Installation - Air-handler (not part of a system including ducts) | 10,000 cubic feet per minute or less | 19.00 |
| | | Over 10,000 cubic feet per minute | 32.00 |
| iii. | Installation - Furnace, heater or burner, including attached ducts | ≤ 100,000 BTUs | 25.00 |
| | | > 100,000 BTUs | 38.00 |
| iv. | Installation - IRC or IMC regulated appliances / equipment not otherwise specified | Including wood stoves, misc. nonportable appliances, gas hot water heaters | 32.00 |
| v. | Installation - Ductless heat pump | Per unit | 25.00 |
| vi. | Installation - Type 1 hood served by mechanical exhaust, including ducts | Per unit | 32.00 |
| vii. | Installation / relocation - Per boiler or compressor | ≤ 3 hp/100,000 BTUs | 32.00 |
| | | over 3hp to ≤ 15 hp/100,000 BTUs to 500,000 BTUs | 50.00 |
| | | over 15 hp to ≤ 30 hp/500,000 to 1,000,000 BTUs | 69.00 |
| | | over 30hp to ≤ 50 hp/1,000,000 to 1,750,000 BTUs | 88.00 |
| | | over 50hp/over 1,750,000 BTUs | 107.00 |
| viii. | Repair, alteration or addition | Per piece of heating or cooling equipment, including controls | 25.00 |
| ix. | Solar photovoltaic system (<u>small</u>) | Small solar PV system (less than 15kW) meeting the criteria of the approved checklist | Exempt |
| x. | Solar photovoltaic system (<u>large</u>) | <u>Large solar PV system (15kW and greater)</u> | <u>Racking System Valuation</u> |
| xi. | Ventilation - Fan connected to single duct | | 13.00 |
| xii. | Ventilation - System not part of HVAC system authorized by permit | | 25.00 |

| | | | |
|-------|--------------|----------|-------|
| xii. | Propane tank | | |
| xiii. | | per tank | 25.00 |

| C. Plumbing Permit Fees | | | |
|---|---|--|-----------|
| i. | Permit issuance | Issuance of each permit | 38.00 |
| ii. | Technology Fee | Covers Technology for Permit Processing | Cost + 5% |
| D. Plumbing Unit Fees Schedule | | | |
| i. | Backflow protection devices | Per device | 32.00 |
| ii. | Drainage vent piping | Installation, alteration or repair | 19.00 |
| iii. | Floor drains | Per drain | 19.00 |
| iv. | Floor sinks | Per sink | 19.00 |
| v. | Hose bib/vaccum | Per fixture | 19.00 |
| vi. | Lawn sprinkle systems | Single-meter system, including backflow devices | 19.00 |
| vii. | Plumbing fixtures | Per fixture | 19.00 |
| viii. | Rainwater systems | Per drain (inside building) | 19.00 |
| ix. | Water heaters (not gas) | Per water heater | 19.00 |
| x. | Water piping / water treating equipment | Installation, alteration or repair | 25.00 |
| E. Inspections and Fees | | | |
| i. | 1. Inspection, Overtime - Weekday | The greater of hourly, 2-hour minimum charge* @ \$116.00/hour or the total hourly cost | 232.00 |
| ii. | 2. Inspection, Overtime - Weekend/Holiday | Hourly, 4-hour minimum charge* @ \$116.00/hour | 464.00 |
| * Or the total hourly cost incurred by the city, which is greatest. The actual cost shall include wages, benefits, overhead, supervision, supplies and equipment of the employees involved. | | | |

| BUILDING PERMIT FEES, COMMERCIAL AND MULTIFAMILY PLUMBING AND MECHANICAL FEES | | | |
|---|--|--|----------|
| International Code Council Valuation Data Table applies to all Building and Single-Family Permits by construction valuation or the International Building Code for square footage, whichever is greater unless otherwise noted. | | | |
| Commercial/MultiFamily Plumbing and Mechanical Permits are valuation based by the International Code Council Valuation Data Table, unless otherwise noted. | | | |
| Fees listed are in addition to Plan Review or Inspection fees. | | | |
| A. Building Permits Fees | | | |
| i. | Total construction valuation | | |
| | \$0 - \$1,000.00 | | 53.00 |
| | \$1,001.00 - \$2,000.00 | First \$1,000.00, plus | 53.00 |
| | | For each additional \$100.00 or fraction thereof, up to and including \$2,000.00 | 4.00 |
| | \$2,001.00 - \$25,000.00 | First \$2,000.00, plus | 93.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00 | 17.00 |
| | \$25,001.00 - \$50,000.00 | First \$25,000.00, plus | 484.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00 | 12.00 |
| | \$50,001.00 - \$100,000.00 | First \$50,000.00, plus | 784.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00 | 8.00 |
| | \$100,001.00 - \$500,000.00 | First \$100,000.00, plus | 1184.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$500,000.00 | 7.00 |
| | \$500,001.00 - \$1,000,000.00 | First \$500,000.00, plus | 3984.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$1,000,000.00 | 6.00 |
| | \$1,00,001.00 - \$5,000,000.00 | First \$1,000,000.00, plus | 6984.00 |
| | | For each additional \$1,000.00 or fraction thereof, up to and including \$5,000,000.00 | 4.00 |
| | \$5,000,000 and up | First \$5,000,000.00, plus | 22984.00 |
| | | For each additional \$1,000 | 3.00 |
| B. Building Permits - Other Inspections and Fees | | | |
| i. | Multifamily single-use water heater | Processing fee per heater, plus | 38.00 |
| | | Per electric heater | 19.00 |
| | | Per gas heater | 32.00 |
| ii. | Re-Roof (roof cover replacement and minor repair only) | | |
| | | Residential | 150.00 |

| | | Commercial/Multifamily | valuation |
|---|--|---|---------------------------------|
| | Sprinkler/Fire suppression system | | valuation |
| | Underground storage tank decommission | Processing fee | 25.00 |
| iii. | Demolition, commercial / multifamily | 10% of value of the demolition | |
| iv. | Demolition, single-family | Primary structure | 189.00 |
| | | Assessory building / structure | 96.00 |
| v. | Inspection, minimum for occupancy change | | 170.00 |
| vi. | Inspection, minimum site | Including adult family homes | 170.00 |
| vii. | Inspection, miscellaneous / other | | 116.00 |
| viii. | Inspection, overtime - Weekday call back | Hourly, 2-hour minimum charge* @ \$116.00 per hour | 232.00 |
| ix. | Inspection, overtime - Weekend / Holiday | Hourly, 4-hour minimum charge* @ \$116.00 per hour | 464.00 |
| x. | Inspection, reinspection | Work concealed without inspection or work not ready at time of inspection will be charged a reinspection fee | 150.00 |
| xi. | Investigation, stop work orders | Amount equal to permit fee | |
| xii. | Plan review | Fee, applies to all permits requiring review, unless listed below | 65% of building permit fee |
| | | Fee, applies to commercial/multifamily plumbing and mechanical permits requiring review, unless listed below | 40% of plumbing/mechanical fees |
| | | Hourly, additional review required for changes, additions or revisions to approved plans, minimum 1 hour* @ \$116.00 per hour | 116.00 |
| | | Plan review by third party | cost plus 10% |
| | | Overtime review, hourly, minimum 1 hour* @ \$116.00 per hour | 116.00 |
| xiii. | Processing fee | For all permits not requiring plan review | 38.00 |
| xiv. | Technology Fee | Covers Technology for Permit Processing | Actual cost + 5% |
| * Or the total hourly cost incurred by the city, which is greatest. The actual cost shall include wages, benefits, overhead, supervision, supplies and equipment of the employees involved. | | | |
| C. Structure Moving Permit | | | |
| | | Base fee, plus | 770.00 |

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| | | Pre-inspection up to 2 hours | 171.00 |
| D. State Fee | | | |
| | RCW 19.27.085 | Residential building permit (each) | 6.50 |
| | | Commercial building permit (each) | 25.00 |
| | | Buildings containing more than one residential unit, per unit | 2.00 |