112 Second Street P.O. Box 366 Langley, WA 98260 (360) 221-4246



SCOTT CHAPLIN Mayor

Fax (360) 221-4265

PLANNING ADVISORY BOARD AGENDA REGULAR MEETING

June 7, 2023 @ 4:00 PM

- VIDEO ONLY via ZOOM -

Join Zoom Meeting

https://zoom.us/j/99202993758?pwd=Rlk1Q0xucTNBWDJlcHY4MnJTa1hPUT09

Meeting ID: 992 0299 3758 | Passcode: 789764 | Dial by your location: +1 253 215 8782 US (Tacoma)

Find your local number: https://zoom.us/u/adaKfoHoQR

SPECIAL NOTICE

NOTICE IS HEREBY GIVEN that a quorum of the Langley City Council may be in attendance for the Planning Advisory Board (PAB) meeting on Wednesday, June 7, 2023 at 4:00pm via zoom. The Council will not be discussing or making any decisions on City business at this meeting.

- 1. CALL TO ORDER
- 2. APPROVAL OF AGENDA
- 3. APPROVAL OF MINUTES
 - a. May 3, 2023 Summary Minutes (pg. 4)
- 4. PUBLIC COMMENT Items not on the agenda
- 5. PUBLIC HEARINGS
 - a. Consider a recommendation to City Council on the proposed Housing Action Plan in accordance with a Washington State Department of Commerce House Bill 1923 grant. (pg. 7)

Attachments:

- FINAL Draft Housing Action Plan (Not attached due to length, linked)
- Planning Advisory Board Findings of Fact (pg. 7)

Contacts: Meredith Penny, Community Planning Director

b. Consider a recommendation to City Council on a 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. (pg. 11)

Attachments:

- FINAL Draft Supportive Housing Ordinance (pg.11)
- Planning Advisory Board Findings of Fact (pg. 24)
- WA State Department of Commerce Draft Comments (pg.27)
- List of Changes Made to Proposed Ordinance to Address Commerce Comments (pg.29)

Contacts: Meredith Penny, Community Planning Director

6. ANNOUNCEMENTS

7. ADJOURN

Next Meeting: July 5, 2023 @ 4pm

Statement Regarding Potential Conflicts of Interest -

Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially. If a conflict, or potential conflict exists, the affected party shall declare so at the first public meeting when the matter is being considered. And shall withdraw from the meeting or future meetings for the duration of the discussion of the issue.

Last Saved: 6/1/2023

Guiding Principles for Citizen Committees and Boards.

- a. All advisory board and committee meetings are to be conducted in public session and noticed in accordance with state law, unless otherwise advised by the city attorney.
- b. Individual committee members and the collective group will be fair, impartial, and respectful of the public, staff, and each other.
- c. Committee members will respect the limitations of their individual and collective authority. The role of the committee is to advise the city council and/or staff. Please keep in mind that committee appointment does not empower you to make final decisions, unless authorized by state law or the group's enabling ordinance, or to supervise staff.
- d. Members will strive to appreciate differences in approach and point of view, whether from each other, the community, the city council, or staff.
- e. Each member will participate in the group's discussions and work assignments without dominating the discussion or activity of the committee.
- f. The committee chair will ensure that all members have a fair, balanced, and respectful opportunity to share their knowledge and perspectives.
- g. The committee will attempt to reach consensus on issues. If consensus is not possible, strong differing opinions, such as "minority" opinions, should be recorded and acknowledged in the committee's report to the city council.
- h. There should be "no surprises" from the committee, either in the nature of the workbeing undertaken by the committee or the method and timing for conveyance of recommendations to the city council. The staff liaison fulfills an important role in assisting the committee in this regard.

When presenting recommendations to the Council, it is essential that advisory group members keep the following in mind:

- i. all recommendations should be in written form;
- j. all ideas should be expressed in clear and concise language;
- k. proposed solutions should be viable and cost-effective;
- I. recommendations should identify the reasons for the changes suggested;
- m. the advice should reflect a consensus of a majority of the group members.

Last Saved: 6/1/2023



CITY OF LANGLEY PLANNING ADVISORY BOARD SUMMARY MINUTES

112 Second Street P.O. Box 366 Langley, WA 98260 (360) 221-4246

May 3, 2023 at 4:00pm

- HYBRID -

1. CALL TO ORDER:

The meeting was called to order at 4:01 pm by PAB Chair Greg Easton.

2. NEW MEMBER INTRODUCTION:

Basil Hassoun (Alternate)

3. ROLL CALL:

PAB Members:

Commissioners Greg Easton (Chair); Maureen Freehill; Casey Gloster; David Smith; Rose Hughes (Alternate); Basil Hassoun (Alternate)

Council and Commission Members:

Rhonda Salerno (Council)

Staff Present:

Meredith Penny, Director of Community Planning; Alex Cattand, Permit Technician

Attendees: 2

4. APPROVAL OF AGENDA:

a. The agenda was approved after a motion by Commissioner Gloster and seconded by Commissioner Smith.

5. APPROVAL OF MINUTES:

a. The PAB minutes of April 5, 2023, were approved after a motion by Commissioner Gloster and seconded by Commissioner Hughes.

6. PUBLIC COMMENT

None

7. **DISCUSSION**:

a. Review and discussion of Draft Housing Action Plan and Final Outreach Summary Report. (pg. 7).

Attachments:

- <u>Draft Housing Action Plan</u>
 (Not attached due to length, linked)
- Discussion Items for PAB regarding Draft Housing Action Plan
- <u>Final Housing Action Plan Outreach Summary Report</u>
 (Not attached due to length, linked)

Contacts: Meredith Penny, Community Planning Director.

 Meredith Penny presented and discussed items regarding the Final Housing Action Plan Outreach Summary Report and the HAP discussion questions.

Action items:

- PAB considered the discussion items and directed staff to incorporate their recommendations.
- HAP to be sent out for the 14-day public comment period and bring it back at the June meeting for public hearing.

Public comments:

- None
- b. Review and discussion of Draft Ordinance on Emergency, Transitional, and Supportive Housing produced as a deliverable for the Housing Action Plan and Implementation grant. (pg. 9).

Attachments:

- Staff memo with background and discussion topics (pg.9)
- Draft Ordinance on Emergency, Transitional, and Supportive Housing (pg. 11)

Contact: Meredith Penny, Community Planning Director.

Meredith Penny presented the draft ordinance.

Action items:

- Draft ordinance to be sent out for the 14-day public comment period and bring it back at the June meeting for public hearing.

Public comments:

- None.
- c. Review and discussion of second draft of PAB Inclusionary Zoning Executive Summary and Response. (pg. 24).

Attachments:

• 2nd Draft PAB Inclusionary Zoning Executive Summary and Response

Contact: Greg Easton, PAB Chair, Rose Hughes, PAB Member, and Meredith Penny, Community Planning Director.

- Item postponed to a later meeting.
- PAB to provide comments to staff.

Action items:

- n/a

Public comments:

- n/a

- d. Review of second draft of Unpermitted Tree Removal Penalty Ordinance (pg. 28). Attachments:
 - 2nd Draft Unpermitted Tree Removal Penalty Ordinance

Contact: Meredith Penny, Community Planning Director.

- Item postponed to a later meeting.
- PAB to provide comments to staff.

Action items:

- n/a

Public comments:

- n/a

8. ANNOUCEMENTS

- Commissioner Hughes and Duncan are resigning from the PAB.

9. ADJOURNMENT

- a. The meeting was adjourned at 6:11 pm
- b. Next regular meeting: June 5, 2023.

Respectfully submitted by: Meredith Penny, Community Planning Director.



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

Housing Action Plan and Appendices

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 Langle City Council, pursuant to RCW 35A.63.020, this day of, 2023 by,
Greg Easton Chair, Langley Planning Advisory Board
Enclosures:

June 7, 2023

Chapter 18.01 INTRODUCTION

Sections:

18.01.010 Purpose. 18.01.020 Scope.

18.01.030 Rules for interpretation.

18.01.040 Definitions.

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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.

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"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.

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"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.

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"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.

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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.

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"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.

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Chapter 18.09 LAND USES

Sections:

18.09.010 Land uses.

18.09.010 Land uses.

CITY OF LANGLEY	ZONING DISTRICTS											
Land Uses	СВ	NB	P-1	Mixed Residential	RS5000	RS7200	RS15000	NB Retail Overlay*	PUD- L	PUD-	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	×	S	S	S	
Boardinghouses	Χ	Р	Χ	Р	Р	Р	Р	Χ	Χ	Р	Х	
Brewery	Р	Χ	Χ	Χ	Х	X	Χ	Χ	X	X	Р	
Campgrounds	Χ	Χ	CU	Χ	CU	CU	CU	Χ	Χ	Х	Х	
School	Χ	CU	Р	CU	CU	CU	CU	Χ	CU	CU	CU	
Community Residential Facility	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	X	<u>P</u>	<u>P</u>	<u>P</u>	
Cultural Facilities	Р	Р	Р	Χ	Х	X	X	Χ	Χ	CU	Р	
Church	Χ	CU	CU	CU	CU	CU	CU	Χ	CU	CU	X	
Day Care Centers	Р	Р	Χ	CU	CU	CU	CU	Χ	CU	CU	Р	
Duplexes	Χ	Χ	Χ	Р	Р	Р	Р	Χ	Р	Р	Р	
Duplexes on lots of 7,200 square feet or larger	X	X	X	X	Р	Р	Р	X	Р	Р	Р	
Emergency Housing	<u>CU</u>	<u>CU</u>	<u>X</u>	X	X	X	X	X	X	<u>CU</u>	<u>CU</u>	
Emergency Shelter	<u>CU</u>	<u>CU</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X	<u>CU</u>	<u>CU</u>	
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	Р	Р	Χ	Χ	X	X	Χ	Χ	X	Р	Р	

CITY OF LANGLEY	ZONING DISTRICTS										
Land Uses	СВ	NB	P-1	Mixed Residential	RS5000	RS7200	RS15000	NB Retail Overlay*	PUD- L	PUD-	PUD- H
Home Day Care	S	S	Χ	S	S	S	S	Χ	S	S	S
Hotels, Motels	Р	Р	Χ	Х	Х	X	Х	Χ	Х	Р	Р
Libraries and Museums	Р	Р	Р	CU	Х	X	X	X	X	Р	P
Lounge	S	S	Χ	Х	Х	Х	Х	Χ	Х	S	S
Makerspace	Χ	Χ	Χ	Х	Х	Χ	Х	Χ	X	Х	Р
Medical-Dental Clinics	Р	Р	Х	Х	Х	X	Х	Х	Х	Р	Р
Multifamily Dwellings	S	Р	Х	Р	See Ch. 18.13	See Ch. 18.13	Х	X	Р	Р	Р
Nurseries	Χ	Р	Χ	Х	Х	Χ	Χ	Χ	Х	Χ	Р
Nursing Homes	Χ	CU	Χ	CU	CU	CU	CU	Χ	CU	CU	Χ
Offices	Р	Р	Χ	Х	Х	Χ	Χ	Χ	Х	Р	Р
Parking Facilities	Р	Р	Р	Х	Х	Χ	Χ	Χ	X	Х	Р
Permanent Supportive Housing	<u>P</u>	<u>P</u>	X	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	X	<u>P</u>	<u>P</u>	<u>P</u>
Public Market	Р	Χ	Р	Х	Х	Х	Х	Χ	Х	Р	Р
Services	Р	Р	Χ	Х	Х	Х	Х	Χ	Х	Р	Р
Public Facilities	Р	Р	Р	CU	CU	CU	CU	Χ	CU	CU	Р
Public Parks and Open Space Areas	Р	Р	Р	Р	Р	Р	Р	Х		able 3 i n <u>18.2</u> 0	
Schools and Grounds, Administrative Offices and Related Facilities	X	X	P	Х	CU	CU	CU	X	CU	CU	X
Residential Zone Offices	Х	Χ	Х	Х	CU	CU	CU	X	Р	Р	Р
Restaurant (exclusive of fast food and drive-in)	Р	Р	Х	X	X	X	Х	X	Х	Р	Р
Retail	Р	Χ	Χ	Х	Х	Х	Х	Р	Х	Р	Р

CITY OF LANGLEY	ZONING DISTRICTS										
Land Uses	СВ	NB	P-1	Mixed Residential	RS5000	RS7200	RS15000	NB Retail Overlay*	PUD- L	PUD-	PUD- H
Retreat/Conference Center	Р	Р	Р	Х	Х	X	CU	Х	Х	Х	Р
Senior Retirement Facilities	Р	Р	X	CU	CU	CU	CU	X	CU	Р	Р
Service Stations	CU	CU	Χ	X	X	X	X	Χ	X	X	X
Short-Term Rental Type I (Rooms)	X	X	X	Р	Р	Р	Р	X	Р	Р	Р
Short-Term Rental Type II (B&B Inns)	Р	Р	X	CU	CU	CU	CU	X	X	Р	Р
Short-Term Rental Type III (Commercial)	Р	Р	Χ	Х	Х	Х	Х	X	Х	Р	Р
Short-Term Rental Type IV (Limited)	Х	Х	X	Р	Р	Р	Р	X	Р	Р	Р
Single-Family Dwellings	Х	Х	Χ	Х	Р	Р	Р	Х	Р	Р	Х
Social and Recreational Facilities	Р	Р	Р	Х	Х	Х	Х	X	Х	Р	Р
Social Service Facilities	Х	CU	Р	CU	CU	CU	Х	X	CU	CU	Х
Taverns	Р	Χ	Χ	Х	Х	X	Χ	Χ	Х	Χ	Р
Theaters	Р	Χ	Χ	Х	Х	X	Х	Χ	Х	Χ	Р
Tiny Home	Χ	Χ	Χ	Х	Р	Р	Р	X	Р	Р	Х
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)	Х	Р	Χ	Р	Р	Р	Р	Χ	Р	Р	Х
Transitional Housing	<u>P</u>	<u>P</u>	<u>X</u>	X	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
Type I and II Home Occupations	S	S	S	S	S	S	S	Х	S	S	S
Type III Home Occupations	CU	CU	CU	CU	CU	CU	CU	X	CU	CU	CU
Veterinary Clinics for Small Animals	Р	Р	X	Х	Х	Х	Х	Х	Х	Х	Р

CITY OF LANGLEY	ZONING DISTRICTS										
Land Uses	СВ	NB	P-1	Mixed Residential	RS5000	RS7200	RS15000	NB Retail Overlay*	- 1	PUD- M	PUD- H
Wellness Retreat	CU	CU	CU	X	X	Χ	Р	X	Χ	Р	Р
Winery	Р	Χ	Χ	X	X	Χ	CU	X	X	X	Р
Winery Bar	Р	Р	Χ	X	X	Χ	Χ	Χ	X	X	Р
Wireless Communication Antenna Arrays	S	S	S	S	S	S	S	X	Х	Х	Х

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.

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18.22.130 Parking Requirements

A. Applicability.

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- 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. <u>Permanent supportive housing and transitional housing shall have one space per</u> dwelling unit.

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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)."
 - 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.
 - 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.

- 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.
- <u>5. Adult family homes.</u> The following <u>additional</u> 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.

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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. <u>Supportive housing facilities in the RS15000 zone shall be either single family residential or duplex structures.</u>
- 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. <u>All supportive housing facilities are subject to design review in accordance with Chapter</u> 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. <u>Site and Transit</u>

- 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. <u>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.</u>
- 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

- 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. <u>Site/facility management, including security policies and an emergency management plan;</u>
 - 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. <u>Provision for human and social services, including staffing plan, credentials or</u> 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. <u>Procedures for maintaining accurate and complete records.</u>
- 4. <u>Sponsors or managing agencies shall demonstrate applicable experience providing similar</u> 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 serves 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. <u>Service providers must exercise reasonable and appropriate on-site supervision of facilities and program participants at all times.</u>
- 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. <u>ADA complaint aisles shall be provided between sleeping structures and shall be</u> accessible by emergency services personnel.
- 10. <u>If facility operations result in a significant increase in the need for local law enforcement service</u>, 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. <u>All functions associated with the facility, including adequate waiting space, must take place within a building.</u>
- 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. <u>Facilities serving more than five (5) residents shall have dedicated spaces for residents to</u> 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.

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

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. <u>Facilities serving more than three (3) dwelling units shall have dedicated spaces for residents to meet with service providers.</u>
- 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. <u>Employment and education assistance.</u>
- 4. <u>On-site services such as laundry, hygiene, meals, case management, and social programs</u> are limited to the residents and not available for drop in use by non-residents



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;
 - 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.

permanent supportive nousing, and transitional no	ousing in accord	ance with New 33.21.	
Respectfully submitted through the Langley Comm	, ,	• .	to the Langley
City Council, pursuant to RCW 35A.63.020, this	_ day or	, 2023 by,	
Greg Easton			
Chair, Langley Planning Advisory Board			

Enclosures:
Recommended Code Amendments



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000 www.commerce.wa.gov

5/24/2023

Meredith Penny Directory of Community Planning City of Langley 112 Second St Langley, WA 98260

Sent Via Electronic Mail

RE: Proposed Permanent Supportive and Transitional Housing Amendments Review

Dear Ms. Penny,

Thank you for the opportunity to comment on the proposed amendments to the Town of Langley Municipal Code, relating to permanent supportive housing, and transitional housing. The proposed amendments were received by Growth Management Services on May 4, 2023, and given the material identification number 2023-S-6049.

In 2021, the legislature adopted ESSHB 1220, changing how Washington plans for housing. The bill was partially codified in RCW 35A.21.430, which supports emergency shelters and housing through local planning and development regulations, states a code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.

We appreciate the Town of Langley's efforts to implement ESSHB 1220. We offer the following comments on your draft amendments to the Langley Municipal Code (LMC):

- LMC 18.01.040 "Community Residential Facility" —we recommend regulating permanent supportive housing and transitional housing as a separate category than other group residential facilities such as adult family homes and group homes. Permanent Supportive Housing is not usually in a group home setting. Permanent supportive housing and transitional housing are not licensed through DSHS unlike adult family homes.
- LMC 28.09.010 Land uses a code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed (RCW 35A.21.430). Permanent supportive housing and transitional housing appear to not be permitted in RS5000, RS7200, and RS15000.
- LMC 18.22.165, Community Residential Facilities:
 - o (B)(1), Occupancy Limits establishes maximum limit of six residents plus up to two caregivers. As a reminder, cities may not regulate or limit the number of unrelated persons that may occupy a household or dwelling unit except as provided in state law, for short term rentals, or occupant load per square foot (RCW 35.21.682).

- B(4), Small-Scale Permanent Supportive Housing and Small-Scale Transitional Housing requires an operations plan. Please note, unless other housing developments are required to meet these same requirements this may open the jurisdiction to legal challenges. Jurisdictions may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally. (RCW 36.130.020).
- LMC 18.25A Performance Standards Supportive Housing Facilities. We recommend regulating emergency housing and shelters as separate category than permanent supportive and transitional housing. The externalities are significantly different between emergency housing/emergency shelters and permanent supportive and transitional housing.
 - LMC 18.25A.010(B): Cities shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. (RCW 35A. 21.430). Regulating the acuity of need of participants is not consistent with 35A.21.430 and would contradict the intent of allowing these uses within all areas which allow residential housing.
 - o LMC 18.25A.020(C):
 - (7) establishes a maximum number of calls to law enforcement. Unless other housing developments are required to meet these same requirements, jurisdictions may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally. (RCW 36.130.020).
- LMC 18.25A.040(A)(3)- Additional Requirements for Supportive and Transitional Housing limits occupancy in a dwelling unit to one family. Except for occupant limits on group living arrangements regulated under state law or on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code or city ordinance, a city or town may not regulate or limit the number of unrelated persons that may occupy a household or dwelling unit. RCW 35.21.682

Thank you for the opportunity to comment. If you have any questions please contact me at (360) 480-4498 or lexine.long@commerce.wa.gov.

Sincerely,

Lexine Long Senior Planner

Growth Management Services

cc:

David Andersen, AICP, Managing Director, Growth Management Services Valerie Smith, AICP, Deputy Managing Director, Growth Management Services Ben Serr, AICP, Eastern Washington Regional Manager, Growth Management Services Anne Fritzel, AICP, Housing Programs Manager, Growth Management Services Mary Reinbold, AICP, Senior Planner, Growth Management Services



City of Langley

Planning Department

To: The Langley Planning Advisory Board

From: Meredith Penny, Community Planning Director

Meeting Date: June 7, 2023

Subject: Proposed Ordinance to Establish Emergency, Transitional, and Supportive

Housing Land Uses

Changes Made to Proposed Emergency, Transitional, and Supportive Housing Ordinance to Address WA State Department of Commerce Comments Since PAB Last Review May 3, 2023.

- Removed transitional and permanent supportive housing from the definition of Community Residential Facility (CRF).
- Removed the category of "small-scale" transitional and supportive housing.
- Changed occupancy limits for CRFs to only apply to adult family homes, otherwise all other CRFs governed by definition of family per 18.01.040 (which does not restrict the number of unrelated persons living together).
- Removed criteria to be "compatible with surrounding area" and "maintain residential character" for CRFs.
- Deleted purpose and applicability item B regarding needs of residents.
- Changed permanent supportive housing and transitional housing from conditional uses to permitted uses and expanded allowance to RS zones.
- Allowed supportive housing facilities in the RS5000 and RS7200 zones to be multifamily structures when using the MFI code (LMC 18.13).
- Added more specifications for when design review is required in order to be consistent with design review requirements for multifamily and hotel/motel uses.
- Moved requirement for supervisors to be onsite down to specific section on emergency housing/shelters.
- Removed requirement for name and contact info for staff and replaced with 24-hour emergency contact number maintained by the sponsor or managing agency.
- Moved the section requiring organizations to reduce law enforcement calls to an acceptable threshold down to the emergency housing/shelter section and re-worded to be more cooperative/solution finding oriented.
- Removed requirement for regular reports to city council on placement of residents in permanent housing.
- Removed item 18.25A.040.A.3 reference to one family per dwelling unit, unneeded.
- Made adjustments to occupancy, bed spacing, and hygiene facility requirements for supportive housing facilities to tie directly to building code requirements.