

**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.

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“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.

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“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	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	ZONING DISTRICTS										
Land Uses	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 18.26.060		
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	PUD-H
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										
Land Uses	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.

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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. Permanent supportive housing and transitional housing shall have one space per 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).”

- 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.~~

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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. 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 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. 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