



## City of Langley

### **PLANNING ADVISORY BOARD AGENDA**

**NOVEMBER 6, 2013 - 3-5pm**

**LANGLEY CITY HALL - 112 2<sup>nd</sup> Street, Langley WA**

---

- 1) Call to Order and Roll Call
- 2) Approval of the Minutes - October 9, 2013
- 3) Code Amendments
  - a) Landscaping and Tree Standards
  - b) Land Use Table
- 4) Field Survey of Existing Trees
- 5) Design Review Overview Presentation
- 6) Adjourn

*Next Regular Meeting: December 4, 2013*

Minutes  
City of Langley  
Planning Advisory Board  
October 9, 2014

The meeting was called to order at 3:01PM

**Attendance:**

Members present: Thomas Gill, Roger Gage, Aaron Simpson, Dominigue Emerson, Sue Walsh, Gail Fleming

Members absent: None

Staff present: Jeff Arango

**Approval of Minutes:** The minutes of September 4, 2013 were approved.

**Code Amendments**

**Landscaping and Tree Retention**

Jeff provided an overview of the draft landscaping code section. The code is intended to better articulate the expectations with regards to landscaping and site design, but is not intended to be prescriptive. A balance is needed to provide specific requirements with the flexibility to allow for creative design. The code section addresses tree retention, street trees, and standards for parking lots.

The board requested address the following issues:

1. Provide definitions for DBH, Native and Significant Tree
2. Address maintenance and view preservation for the siting and replacement of trees
3. Refer to the publication *Street Trees of Seattle* as a reference
4. Encourage neighborhood communication when planting new street trees to avoid conflicts with views and infrastructure

**Land Use Development Standards Table**

Jeff reviewed a land use table that combines all the permitted, secondary and conditional uses for each zoning district into a single table. Jeff stated that there are inconsistencies between land use terminology between zones. Jeff stated that he will provide a proposed amendment to the table at the next meeting that simplifies the number of land uses and provides consistency between zones where appropriate.

**Vacation Rentals**

Jeff explained that currently the code prohibits vacation rentals, referred to as tourist accommodations – commercial, such as those offered via websites such as VRBO and Air BnB. The board was unanimous in supporting a code amendment to allow such uses or to define it as consistent with a single family use.

Some discussion on maintenance issues, how could the city control the maintenance of dying plants. Tree protection standard what to include what not? Possibly incentives for planting landscaping edibles.

### **Project Updates**

Jeff stated that the Second Street Project will be advertised for construction bids tomorrow, October 10<sup>th</sup>.

The city has completed the appraisal of the Noble Property, which is a requirement for the contract to be approved. The value of the property identified in the appraisal is reasonably consistent with the amount of the award (\$175k).

The city is in the process of reviewing proposals to redesign the city's website. The city received 11 proposals.

The title search work the city commissioned regarding Sunrise Lane is complete and it shows that the city owns the majority of what is commonly referred to as Sunrise Lane.

The board will need to select a new chairperson at the next meeting as Thomas Gill will be taking a seat on the City Council.

Meeting adjourned 4:48 PM



## **Staff Report**

To: Planning Advisory Board  
From: Jeff Arango, AICP – Director of Community Planning  
Date: November 6, 2013

### **Landscaping and Tree Standards**

Staff has revised the draft landscaping and tree standard code amendment proposal in accordance with the following:

1. Require a permit for any clearing of significant trees on parcels of 15,000 square feet or larger.
2. Added a definition of DBH
3. Added a definition of Native
4. Added a definition of City of Forester
5. Added a definition of Hazard Tree
6. A definition of a significant tree is already provided in Title 18 - "Significant tree" means any living woody perennial plant characterized by a main stem or trunk having many branches and having a diameter of 12 inches or more measured at breast height.
7. Added restrictions on removing of significant trees and exceptions.
8. Added a reference to the approved list of street trees in Seattle.

### **Land Use Table**

Staff has provided a first draft of amendments to the land use table to provide consistency amongst uses between districts and to reduce redundancy. Additional land uses and definitions have been added to the land use table to reflect current uses and those appropriate in each district.

### **Code Amendment Timeline**

Staff will provide a complete package of code amendments at the December meeting in anticipation of a public hearing in January or February.



## Amendments to Title 18: Landscaping and Tree Retention Standards

### Existing: 18.22.020 Landscaping.

All lots shall be generously landscaped, and consistent with the natural environment of Langley and appropriate to the planned use. Retention of natural landscaping is encouraged. (Ord. 527, 1989)

### Existing: 15.01.725 Land clearing – Intent.

A. Intent. It is the desire of the city to preserve and enhance the physical and aesthetic character of the community, to promote land development practices that minimize disturbance to vegetation and soils, minimize surface water and ground water runoff and diversion, prevent erosion, and reduce risk of slides.

B. Requirements. No person shall clear ~~more than 20 percent of a~~ any significant trees from a ~~or parcels~~ of land that is more than 15,000 square feet in area without first obtaining approval of a land clearing permit for an approved timber harvest or other specified use requiring the land clearing, unless the clearing is part of a development action or permit as set forth in Section 15.01.020, or consistent with an approved plat.

C. Tree Protection Encouraged. For projects on land that falls below the size threshold of this section, developers are strongly encouraged to retain as many native trees and as much undergrowth as feasible in support of the city's policy of promoting native landscape retention. (Amended during 2013 reformat; Ord. 966 § 1, 2012; Ord. 743, 1997)

### AMENDED – 18.01.040 Definitions

“City Forester” means a volunteer position designated by the city's Director of Community Planning to perform the duties required to implement and administer the provisions of this chapter.

“Hazard tree” means any street tree, or part thereof, that the City Forester determines is subject to a high probability of failure, due to structural defect or disease, and which poses a potential threat to people or property in the event of failure. The determination of “hazard” does not require the judgment that a tree is in danger of imminent failure.

“DBH” means the diameter of the tree at breast height.

“Significant Tree” – already have a definition in title 18.

“Native Plant” means plants and trees that occurs naturally in a particular region, ecosystem, or habitat without direct or indirect human intervention.

#### NEW – 18.22.020 Landscape Design and Tree Retention

1. Purpose. The City of Langley’s identity is defined by its beautiful natural setting and human scaled downtown characterized by extensive landscaped gardens both on private properties and within the public realm of streets, parks and open spaces. Langley is surrounded by mature coniferous forest that delineates the urban city from the rural county while strengthening the city’s sense of place within the surrounding landscape. The preservation and enhancement of these features are important to the future of the city to achieve environmental, social and economic sustainability. Other objectives are to:
  - a. Retain existing vegetation, tree stands and significant trees by incorporating them into the site design.
  - b. Incorporate native vegetation and drought resistant plant material into new landscape developments as appropriate.
  - c. Provide vegetated screening between different land uses and intensities
  - d. Minimize the visual and physical impact of parking areas with vegetative screening and shade
  - e. Provide vegetated screening between residential and nonresidential areas.
  - f. Beautify the commercial districts with extensive gardens and landscape installations
  - g. Create pedestrian oriented spaces in the downtown with a blend of hardscape and landscape features
2. Applicability. The standards herein apply to any multi-family development of three, plats or more units and all non-residential development and streets and plats including binding site plans and planned unit developments. Single and two-family lots are exempt from the requirements of this section unless they contain significant trees or vegetation required to be preserved as part of a plat approval.
3. Professional Designer. All landscape plans shall be prepared by a registered landscape architect or landscape designer qualified to provide landscape design services as exhibited by experience with past projects, education or a combination thereof.
4. Submittal Requirements. All landscape plans shall include the following:
  - a. A detailed site plan of all existing and proposed natural and landscaping improvements at a minimum scale of 1”=30’ identifying all existing and proposed landscaping
  - b. A detailed plant and tree list showing the type of species and size at installation and whether the plants are native of non-native. Non-native species may be allowed with evidence of their suitability for the proposed application.
  - c. A narrative identifying the overall design concept for the proposed landscaping plan and demonstrating compliance with the requirements of this section.
5. Standards for Parking Lots and Walkways

- a. A minimum of one tree for every eight parking spaces is required along the interior of parking lots and one space for every four spaces along the exterior of parking lots and along the right-of-way.
- b. A minimum of 10' between the edge of the right-of-way and the parking lot shall include extensive landscaping to soften the visual impact of the parking lot consisting of trees, shrubs and plants. The vegetation shall not create an opaque vegetative screen.
- c. All trees shall be a minimum 2" caliper when planted.
- d. Dedicated walkways through parking areas shall include a minimum of 5' of landscaping along both sides of the walkway.
- e. Walkways along building frontages shall have a minimum 10' of landscaped area between the walkway and the building.

#### 6. Street Trees

- a. A street tree shall be planted for every 40' of frontage along the street and shall be located either within the right-of-way or along the frontage of the property within 10' of the right-of-way.
- b. The street tree species must be demonstrated to be appropriate for the given location, that it will not damage infrastructure in the area (sidewalks, roadway, utility lines, etc.), unnecessarily block views from public or private property and demonstrate an ability to properly maintain the tree.
- c. When selecting a street tree applicants shall consult with the Seattle Department of Transportation Street Tree list as a guide.

#### 7. Site Design Techniques. Sites shall be designed to include, but not limited to, the following features:

- a. Landscape open areas created by building modulation.
- b. Retain natural vegetation and undisturbed open space.
- c. Use plants that require low amounts of water, including native drought-resistant species.
- d. Locate trees on storefront street frontages at appropriate spacing so that at maturity building signage and entrance are clearly visible from the street and sidewalk.
- e. Plant a mix of evergreen and deciduous plants to maintain year-round color and interest.
- f. Incorporate on-site natural objects such as rocks, boulders and tree stumps into landscape design where possible.
- g. Shrubs, grasses and other non-tree vegetation shall be included in the plan as appropriate to the site on a case-by-case basis.
- h. Consider incorporating seating areas and public art into the landscape design

- i. Consider planters, hanging baskets, window boxes or other landscape features along the street for sites that do not have landscape areas on-site

## 8. Planting Requirements

- a. Intent. The intent of this section is to encourage the use of native species and recommend planting conditions adaptive to Whidbey Island
- b. Requirements. Landscape designs shall conform to the following provisions:
  - i. Areas not devoted to landscape required by this chapter, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.
  - ii. New plant materials shall include native species or nonnative species that have adapted to the climatic conditions of the coastal region of the Puget Sound Region.
  - iii. New plant materials shall consist of drought resistant species, except where site conditions within the required landscape areas assure adequate moisture for growth.
  - iv. New tree plantings shall be a minimum of two inches in caliper if deciduous or six feet in height if evergreen. Soil planting types and depth shall be sufficient for tree planting.
  - v. Existing vegetation may be used to augment new plantings to meet the standards of this chapter.

## 9. Tree Retention and Protection.

- a. A plan of all existing significant trees shall be provided with applications for development subject to these standards.
- b. Projects shall be designed to avoid the removal of significant trees where feasible without diminishing allowed uses, densities and intensities or the function of the proposed development. Safety, Solar access for active and passive solar design, local food production will also be considered as part of review of the tree retention plan.
- c. Projects may be required to preserve significant trees with a native growth protection area when the tree preservation is determined to be commensurate with the projects impact or voluntarily by the applicant.
- d. No significant tree may be removed from any property without first obtaining authorization from the city planning official following consultation with the city forester. Any significant tree removed shall be replaced with an appropriate species. Consultation with neighbors is encouraged to avoid conflicts with views and infrastructure. A significant tree may be authorized for removal based on the following criteria:
  - i. The tree has been deemed hazardous by a certified arborist
  - ii. The tree is dead or dying. Confirmation from a certified arborist may be required.
  - iii. The property owner desires solar access for passive or active solar energy or for agricultural purposes
  - iv. View Preservation or retention – any tree removed must be replaced with two additional trees in suitable locations that will not block views from the subject property in the future.
- e-v. Trees within critical areas or buffers may not authorized for removal



unless the tree(s) are deemed to be dead, dying or hazardous. Trees removed from critical areas must be replaced with an appropriate species

10. Modifications. The planning official may approve modifications to the standards contained in this section to achieve the overall purpose and intent of this section.

DRAFT

CITY OF LANGLEY		ZONING DISTRICTS					
Land Uses	Mixed-Residential						
	CB	NB	P-1	RS5000	RS7200	RS15000	
Accessory Buildings	X	X	X	S	S	S	S
Accessory Dwelling Units					S	S	S
Accessory structures and uses	P	S					
Adult family homes	S	S		S	S	S	S
Antennas or parabolic antennas or similar devices used for the transmission or reception of radio frequency signals through	CU	CU	CU	CU	CU	CU	CU
Bed and Breakfast Inns	P	P		CU		CU	CU
Bed and breakfast rooms and inns	P	P					
Bed and Breakfast Rooms not located in the building of principal use	P	P		CU	CU	CU	CU
Bed and Breakfast Rooms within building containing principal use	P	P			S	S	S
Boardinghouses	X	CU		CU	CU	CU	CU
Campgrounds	X	X	CU				
Churches and Schools	X	CU		CU	CU	CU	CU
Clustered Residential Development					CU	CU	CU
Computer/Internet/Software and					X	X	CU
Consumer goods repair	S						
Cottage Housing				CU		CU	CU
Day Care Centers	XP	P		CU	CU	CU	CU
Duplex on lots of 7,200 square feet or larger					P	P	
Dwelling Units in principal buildings; provided, that commercial uses occupy the first	S						
Facilities for caretakers or on-duty employees	X	X	S				
Foster Homes	X	S		S	S	S	S
Guest Houses		S			S	S	S
Health Clubs	XP	P					
Home day care	S	S		S	S	S	S
Home Occupation	X	P		S	X	X	X

Home Occupations exceeding 600 square feet in accessory buildings	X	CU		CU			
Hotels, motels	P	P					
In-home family day care	S	S		S			
Libraries and Museums	XP	CUP			CU	CU	
Medical-Dental Clinics	P	P					
Multifamily Dwellings	X	P	X	P			
Municipal facilities, such as watersheds, reservoirs, sewage	X	X	P				
Nurseries	X	P					
Nursing Homes	X	CU		CU	CU	CU	CU
Offices	P	P					
Onsite hazardous waste treatment and storage facilities, provided, that such facilities comply with the state siting criteria adopted in accordance with RCW 70.105.210, or its successor	S						
Other governmental facilities, such as fairgrounds;	X	X	P				
Outside storage and display	CU						
Parking	X	X	S				
Parking facilities	P	X					
Personal Services, included self-service	P	XP					
Private utilities that are regulated by the state, and therefore, quasi-public entities	X	X	P				
public and utility buildings and structures except transmission lines and structures	CU						
Public Facilities	X	CU		CU	CU	CU	CU
Public parks and open space	X	X	P				
Public Schools and grounds, administrative offices and related	X	X	P				
Radio transmitting/receiving and satellite receiving antennas over	X	CU		CU			CU
Residential Zone Offices					CU	CU	CU
Restaurant (exclusive of fast food and drive-in)	P	P					
Retail and Wholesale Sales	P	X					

Retreat/Conference Center					X	X	CU
Senior Retirement Facilities				CU	CU	CU	CU
Service Stations	CU						
Single Family Dwellings					P	P	P
Social and Recreational Facilities	P	X					
Social Service Facilities	X	CU			CU	CU	
Taverns	P	X					
Theaters	P	X					
Tourist Accommodations- commercial	P	P					
Townhouse Dwellings					P	P	P
Two-Family Dwellings (duplexes)	X	P		P	P	P	P
Type I and II home occupations					S	S	S
Type III Home Occupations					CU	CU	CU
Veterinary clinics for small animals	X	CU					
Wireless communication antenna	S	X	S	S	S	S	S
NB Zone Only (Buildings prior to January 25, 1989)							
Production of Goods	n/a	P					
Warehousing and Storage of goods (non-manufacturing)	n/a	P					
Repair Services	n/a	P					
Sale of Goods *Limited	n/a	P					

Land Uses Additions			
Cultural Facilities	P	P	P
Wine Bar	P		
**Need to add a definition of retail to Title 18			
Retail: A space where you can purchase a good to own			
Service: A space in which business or personal services are offered			
Cultural: A space in which cultural events or items are displayed or experienced			
Restaurant			
Wine Bar			
Café/Coffee Shop			