

Whidbey Environmental Action Network

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City of Langley City Council and Mayor Kennedy Horstman

112 Second Street / P.O. Box 366

Langley, WA 98260

May 22, 2026

Re: Coles Valley Land Use Agreement — Item 8c, May 18, 2026 Council Meeting

Dear Mayor Horstman and Council Members,

After taking time for study, reflection, and consultation, I am writing to express significant concerns about the proposed Coles Valley Land Use Agreement with South Whidbey LLC, presented at the May 18, 2026 regular meeting.

On the proposed agreement —

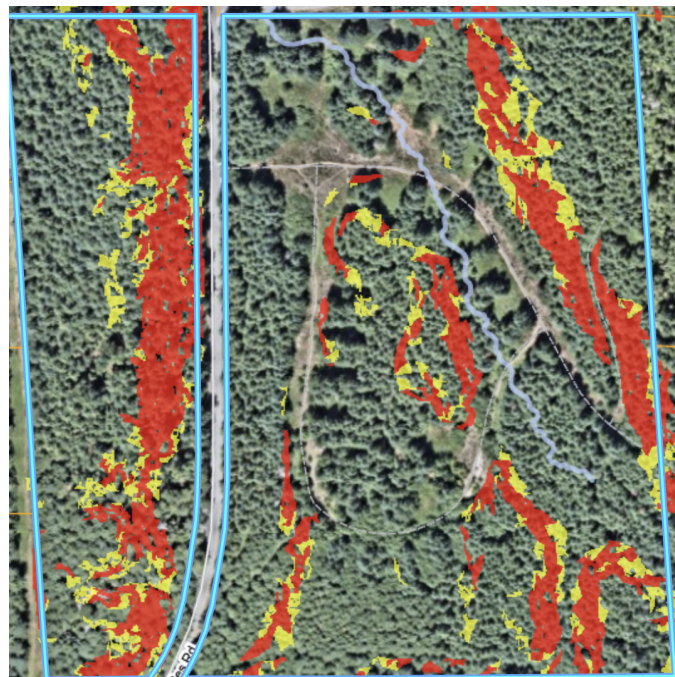
I urge the Council not to enter into a Land Use Agreement with Bob Libolt or South Whidbey LLC that would replace or supersede the 2005 Annexation Agreement (AFN 4124982). That agreement was negotiated in good faith and reflects considered judgment about what this site can appropriately support. It limits development to 24 single-family detached residences — a number that reflects real site constraints, not an arbitrary restriction. A modest increase in density (duplexes, for instance) with adequate transportation infrastructure, could be a conversation worth having — but that is not what is proposed here. In fact, the proposed agreement would permit 65 single-family lots plus two cottage tracts of up to 10 cottages each, with accessory dwelling units allowed on each lot. Depending on ADU uptake, the realistic unit count could reach well over 100 dwellings. This is not a modest update to the annexation agreement. It is a wholesale replacement of it.

The Mayor's memo tells us Habitat for Humanity is on contract to purchase the entire property. If that is true, what exactly is the City agreeing to, and with whom? An agreement negotiated to benefit a seller who won't be developing the land raises questions this Council should be asking before June 1, not after.

On site constraints—

Habitat for Humanity is a respected organization doing genuinely important work, and I would welcome the opportunity to partner with them in encouraging responsible affordable housing development at a site-appropriate scale. I want to be certain they have been fully briefed on the significant constraints of this particular site, which include:

- The headwaters of Saratoga Creek and associated fishbearing stream protections (blue line is a stream)
- A former waste dump on or near the property
- The adjacency of the City's wastewater treatment plant
- Coles Road's physical constraints: it runs between steep forested slopes and wetlands and is unlikely to be widened (red indicates steep slope critical areas; yellow intermediate slopes)
- The already-recognized hazard at the SR 525/Coles Road intersection, which WSDOT has declined to address
- The impossibility of installing a signalized intersection or a bus stop meeting ADA and transit standards per previous conversations with relevant agencies
- Water and sewer infrastructure that is not sized for large-scale development
- The limited and contested access to trail connections into town



Screenshot from Island County Geomaps, Critical Areas Layers

A previous proposal to store drinking water in a tower, on a seismic fault, at the top of a steep wooded slope inaccessible by vehicular traffic rises to memory.

These are not concerns invented by neighbors who prefer no development. They are the same constraints that informed the original annexation agreement's 24-unit limit. They are the same constraints that contributed to the withdrawal of the PUD application in November 2024. They do not disappear because the applicant has changed or because a worthy nonprofit has entered the picture.

On the structure of this proposal—

I am troubled by the suggestion that Habitat's acquisition of the property is contingent on the South Whidbey LLC agreement moving forward. If the proposal is genuinely different from what SWLLC previously sought — if it is truly community-oriented and site-responsive — then why does it require this agreement? Why is the original annexation agreement being replaced rather than honored?

We gave the same counsel to Home On Whidbey, another worthy affordable housing organization that previously expressed interest in this site: purchase the land outright. Engage the community honestly and early. Let the site's constraints shape the scale of development, rather than letting a desired unit count drive the process. Build something the infrastructure can support and the community can embrace. The original annexation agreement describes that scale. It is not an obstacle to good development — it is a guide to it.

On public notice and transparency—

The May 18 packet made clear that two distinct processes are underway: the Preliminary Long Plat application (PLP-25-001), currently paused pending resubmittal, which will eventually go through a formal public hearing and Hearing Examiner review; and the proposed Land Use Agreement, negotiated between the Mayor's office and South Whidbey LLC, which would replace the 2005 Annexation Agreement entirely. It is the Land Use Agreement that concerns me most urgently here — and it is the one that has received

the least public scrutiny.

The 2005 Annexation Agreement is a recorded covenant that runs with the land and was negotiated in good faith with the public's interests in mind. Replacing it warrants at minimum the same level of public engagement. It has not received it. The May 18 packet includes public hearings scheduled for June 15 on the two moratorium ordinances. No equivalent public hearing has been noticed for the Land Use Agreement before the proposed June 1 vote. That contrast speaks for itself.

The City's website, readily accessible through the main navigation menu, still presents a page announcing "Coles Valley PUD withdrawn" — a November 2024 update — with no indication that a new agreement of this magnitude was under negotiation. I raised a specific concern with Community Planning Director Meredith Penny in December 2025 about the importance of keeping the page up to date, to ensure the City's public communications keep pace with the local rumor mill. Nothing has changed on the site since that date.

WEAN's objections—

Whidbey Environmental Action Network formally objects to the Council authorizing any Land Use Agreement with South Whidbey LLC that would replace or supersede the 2005 Annexation Agreement. We further object to the proposed timeline, under which the Council would make that decision on June 1 without a clearly noticed, well-publicized formal public hearing prior to that vote.

We ask the Council to delay any vote on this agreement until a full public process has been completed; to require that any future proposal for this site honor the unit limit established in the original annexation agreement; and to update the City's website immediately to accurately reflect the current status of this site and the active negotiations surrounding it.

We recognize that this is hard work, that the need for affordable housing in Langley is real, and that everyone involved is trying to serve the community. We simply believe the community deserves to be part of that conversation before a decision is made. We look

forward to engaging in that process.

Thank you for your consideration, and for your service to the people of Langley.

A handwritten signature in blue ink, appearing to read 'M. Jackson', with a stylized flourish at the end.

Marnie Jackson
Executive Director
Whidbey Environmental Action Network