

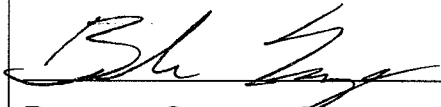
ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Robert H. Pederson, AICP
Director

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522 ■ from S. Whidbey (360) 321-5111
FAX: (360) 679-7306 ■ P. O. Box 5000, Coupeville, WA 98239-5000
Internet Home Page: <http://www.islandcounty.net/planning/>

Brandon Sweeza
(360) 678-7822

TRANSMITTAL AND REPORT MEMORANDUM

TO:	Island County Planning Commission
FROM:	 BRANDON SWEZE Planner – Long Range - FOR ROBERT H. PEDERSON, DIRECTOR
DATE:	December 1, 2009
SUBJECT:	Proposed 280/09 CPA: Amendments to Chapters 3.40 ICC and 17.04 ICC, to adopt revisions to the Ebey's Landing National Historic Reserve land use regulations and the PBRs tax program.

Attached for your review is the final draft of revisions to Island County Code to implement the Ebey's Reserve Land Use and Design Guidelines. Proposed Findings of Fact and Conclusions of Law are also attached.

The final draft of the Unified Code presented to you during your last joint meeting on October 20, 2009 was prepared cooperatively with the Town of Coupeville and the Reserve Partners. Since that meeting, it became extremely difficult to attempt to schedule further joint deliberations where a large majority of the Planning Commissioners could attend. In addition, it became more apparent that the individual Planning Commissions would need to deliberate on the actual code language that would be unique to each jurisdiction. Accordingly, it was decided that each Planning Commission would continue to deliberate separately to make their respective recommendations to the Town Council and the Board of County Commissioners.

As a result, the Town of Coupeville Planning Commission will meet on December 1, 2009 and the Island County Planning Commission on December 4, 2009. Following deliberations, your recommendations will be forwarded to both the Town Council and the Board of County Commissioners.

Upon receipt of both Planning Commission recommendations, the Town Council and the Board of County Commissioners intend to hold a joint public workshop to review the recommendations and to establish the process and timeline for their respective public hearings.

The draft revisions to ICC 17.04 mirror the proposed Town of Coupeville code revisions with one substantive difference. This difference is level of decision making authority afforded the Historic Preservation Commission (Commission), pursuant to RCW 36.70, the Planning Enabling Act. The revisions to Chapter 17.04 before you have the Commission issue

recommendations on Certificates of Appropriateness (COA), with the final decision making authority resting with the Planning Director. The CAO is defined as:

Certificate of Appropriateness (COA): Document issued administratively or by the Commission that indicates that proposed changes to an historic property have been reviewed and that certifies that the changes do not adversely affect the historic characteristics of the property that contribute to its designation.

Staff recognizes that this distinction of decision making authority by the Commission will be further reviewed by the Board and Town Council during their respective deliberations. Regardless of the differences in the Town or County versions of the regulations, it is important to note the goals of the regulations are same; that is to have a unified design manual, one Historic Preservation Commission, and a desire to have similar outcomes for permit applications, whether the site is in the Town of Coupeville or unincorporated Island County.

In addition, the revised final draft addresses attempts to address the concerns expressed by the County and Town Planning Commission members as follows:

1. Definition of Agricultural Activities;
2. Revised definition of Certificate of Appropriateness;
3. Definition of Contributing and Historic Resources, intended to address questions on buildings, structures, and sites;
4. Amendments to the definition of Review Areas;
5. Definition of Significant trees;
6. Definition of Structural Assessments;
7. Amendments to the Reserve Commission appointments and composition;
8. Revised Commission Review procedure to improve review timeframe and reduce application requirements;
9. Detailed requirements for structural assessments associated with proposals to demolish and historic building or structure;
10. Amendments to the Heritage Farm Plan requirements and purpose;
11. Reference to historic building code provisions;
12. Amendment of the Disclosure Statements; and
13. Amendment to the list of Island County Historic sites.

There has been no change to the Design Manual as this effort should await the final direction and decision of the two legislative bodies. Copies of the Design Manual are not being redistributed as an attachment to this staff report.