



Island County Planning and Community Development

P.O. Box 5000, Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov | www.islandcountywa.gov

MEMO

To: Planning Commission
From: Josh Pitts, Long-Range Planner
Island County Planning & Community Development
Date: August 10, 2022
Subject: Ebey's Reserve Code Update (17.04A ICC)

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Background

The Board of Island County Commissioners has identified a code update for 17.04A - Ebey's Landing National Historical Reserve Design Review and Community Design Standards as a priority and has placed it on the work plan for 2022. The designation of Ebey's Landing National Historical Reserve helps to protect the historic character of the district, as well as its significant resources. Chapter [17.04A](#) of Island County Code provides the County with the means to ensure that growth, development, and change take place in ways that respect the Reserve's important architectural, historical, and environmental characteristics.

As such, the Planning and Community Development team has identified and recommends four sensible, overarching updates to 17.04A ICC. The first update is the clarification and addition of definitions in ICC 17.04A.50. Second, is revising terminology throughout the code to align with the updates to definitions. The addition of a third review area to streamline the permitting process for particular geographical locations within the Reserve is the third update. And fourth, is the creation of a Certificate of Appropriateness Decisions and Exemptions table. Additionally, to more easily identify which design review area a parcel belongs to, the planning staff intends to shift from a simple geographic overlay to a parcel-by-parcel overlay.

Definitions

An essential, though not required, component of municipal code is the definition section. Definitions can simplify the text and reduce its length. While most words do not require a definition, unique terms



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should be defined to provide readers with necessary information or guidance. Additionally, definitions provide consistency throughout the text. Historic preservation terms are often nuanced. Thus, to facilitate proper usage and terminology it is important that Island County clarifies and adequately defines a small portion of preservation vernacular. This includes essential terms used by the National Park Service such as contributing resource, historic property, preservation, reconstruction, rehabilitation, and restoration.

Terminology

As the above-mentioned changes take place, it is vital that the terminology used throughout the code is consistent throughout the entire chapter (17.04A ICC). Several of the changes regarding the use of terminology are in response to the definition revisions/additions (ex. ~~historic building or structure or historic resource~~ **property**). Some changes are strictly for clarification purposes (ex. ~~Board~~ **BOCC**). And others are purely for emphasis (ex. ~~reserve~~ **Reserve**).

Review Area Three

Ebey's Landing Historical National Reserve Guidelines are a philosophical framework for the management and interpretation of the Reserve. On the other hand, 17.04A ICC provides the County with the means to ensure that growth, development, and change are permitted in a way that respects the Reserve's unique characteristics. The goal of the guidelines and county policies should be to not only mitigate the loss of historical resources, but to creatively promote and facilitate growth as well. Spatial organization is an essential feature when considering the treatment of the review areas.

The current zoning overlay classifies parcels within the Reserve as either Design Review Area 1 or Design Review Area 2. Design Review Area 1 delineates portions of the reserve with a concentration of buildings and associated landscape features that retain a high degree of historic character. These resources have the highest design review standards in order to preserve their character and integrity. The remainder of the Reserve is classified as Design Review Area 2 and are areas within the Reserve that have a limited review for regulated actions.

While the County should continue to adhere to policies regarding the two design review areas, it should also consider implementing a third design review area for particular geographic locations that no longer properly represent the character of the Reserve. The concept and exact locations to which a third design review area would be implemented are still developing, however, for example, portions of the Penn Cove RAID may be better suited in a design review area that has fewer development restrictions than Design Review Area 2. This would significantly speed up the permitting process by reducing the level of certificate of appropriateness and exempting several development activities.

Certificate of Appropriateness Table

The most significant update for 17.04A ICC is the adoption of a certificate of appropriateness (COA) table. By implementing the COA table, the staff and the public will be able to ascertain more readily



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whether a development activity is allowed. The table not only differentiates between parcel types – historic property vs. non-historic property – but which design review area the parcel is associated with. The table also has related footnotes and references that identify or reference any additional standards or conditions. A few development activities will remain in their corresponding COA sections as they did not fit appropriately in a table format.

Another change regarding COAs is the creation of Level D certificate of appropriateness. Currently, ICC 17.04A.120 is comprised of two different types of Level C COAs. The first is an Historic Preservation Commission (HPC) recommendation to the Planning Director. The second Level C COA is strictly an HPC decision. To reduce confusion between the two Level C's, planning staff recommend changing the HPC decision COA from a Level C to a Level D. This would not impact how the development activities are reviewed, but would only change the COA level naming scheme under which they reviewed.

Parcel-by-Parcel

To more easily identify which design review area a parcel belongs to, the planning staff intends to update how the design review areas with the Reserve are mapped. Currently, the county utilizes a simple geographic overlay. This has created split parcels, which further complicates the review process. Moreover, particular locations (i.e., RAIDs or subdivisions) are either all or nothing. Shifting to a parcel-by-parcel overlay will allow the staff and the public to more easily identify which design review area the parcel is categorized as and its associated development activities.

In conjunction with the map changes on ICGeoMap, planning staff will also be creating official Ebey's design review area maps contained in the Ebey's design review area atlas. If a conflict were to arise, the design review atlas will be used as a control.

Findings & Conclusions

Planning staff has been tasked with updating 17.04A ICC. As such, staff has identified and recommends four overarching updates. Firstly, the staff finds that the clarification and addition of definitions are essential to provide readers with the necessary information to differentiate nuances associated with historic preservation vernacular. Secondly, staff finds that updating terminology throughout 17.04A provides essential consistency. Thirdly, it would be beneficial for the County to implement a third design review area to promote and facilitate growth while simultaneously investing in the protection of its historic resources. And lastly, the adoption of a COA table would greatly assist County staff and the public in determining allowed development activities.