



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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~ MEMORANDUM ~

TO: Island County Board of Commissioners

FROM: Island County Planning & Community Development

DATE: 11/9/18

SUBJECT: Ebey's Landing National Historical Reserve

BACKGROUND

In 1972, the Board of Commissioners adopted legislation that created the Central Whidbey Island Historic District with the boundaries of the district following the Donation Land Claims in Central Whidbey. Under the National Parks and Recreation Act of 1978, the Ebey's Landing National Historical Reserve was created with the same boundaries of the Central Whidbey Island Historic District. The Act required the Secretary to work with the State and local units of government to create a comprehensive plan for protection, preservation, and interpretation of the Reserve. The nomination was amended in 1998 to include structures prior to 1945 that retain enough integrity and character to contribute to the historic feel of the district.

The Board of Island County Commissioners and the Town of Coupeville jointly established a local citizens' committee to develop a Comprehensive Plan for the Reserve shortly after the Reserve was established. The Reserve's Comprehensive Plan was adopted in May of 1980, and the National Park Service and Washington State Parks began to implement it. While the agencies purchased outright several key parcels of land within the Reserve, in most cases they purchased development rights and scenic easements on property which remained in private ownership. The intent of this approach was to keep most of the property in the Reserve on the tax rolls, allowing controlled development of land within the Reserve and encouraging local farmers to continue making productive use of the land. *Note: Federal or other funds have not been sufficient to complete the purchase of all scenic easements and development rights identified in the Reserve's Comprehensive Plan.*

COUNTY ROLE

The County's role in the management of the Reserve is to:

- Enact appropriate land use regulations through zoning to protect the landscape of the Reserve, per the legislation of the Reserve;
- Participation in the Trust Board for the Reserve;
- Appoint members to the Historic Preservation Commission and staff commission meetings;
- Appoint members to the Trust Board;
- Contribute funding for operations of the Reserve; and
- Process Certificate of Appropriateness (COA) applications.

These roles are briefly outlined below.

Interlocal Agreements:

Interlocal Agreement for the administration of Ebey's Landing National Historical Reserve (ELNHR)

In July 1988, the National Park Service, Washington State Parks, and Recreation Commission, Town of Coupeville, and Island County signed an interlocal agreement establishing the ELNHR Trust Board as a joint administrative board to oversee the Reserve. This agreement establishes the Board membership; assigns it powers; and delineates the duties, responsibilities, and financial obligations of the contracting parties.

- Staff is not aware of any discussions to update the 1988 agreement.

An Interlocal agreement between Island County, The Town of Coupeville, and the Trust Board of Ebey's Landing National Historical Reserve Relating to Historic Preservation and Protection within the Ebey's Landing National Historical Reserve as established under Chapter 17.04A ICC and Chapter 16.13 CTC

- The Town of Coupeville and Island County jointly approved the Ebey's guidelines and new codes in which to review proposals. As part of the code provisions, (ICC 17.04A.070) the partners are required to enter into an Interlocal agreement. The interlocal agreement is to establish the coordination of review of permits, fees, and updates.
- In 2016, Mayor Molly Hughes, Commissioner Hellen Price-Johnson, Reserve Manager Kristen Griffin, and appointed agency staff members met to discuss the meeting management roles (i.e. Town representative does the minutes, County publishes notice of meetings, etc.), and concluded that responsibilities of the meetings were not needed in the Interlocal agreement itself (no update needed).

Board and Commission Appointees:

The County and Town both appoint members to the Historic Preservation Commission and the ELNHR Trust Board.

- **Historic Preservation Commission (HPC)** - The Island County Code (ICC 17.04A.060) gives the Board of Commissioners direction on who to appoint to the HPC. The County is responsible to appoint 4 members to the HPC with one additional member a joint appointment with the Town of Coupeville. In addition to appointments, the County provides staff support to the HPC.
- **ELNHR Trust Board** - The Interlocal agreement from 1988 directs the Board of Commissioners who to appoint to the ELNHR Trust Board. The Town, State Parks and National Park Service also appoint members to the Trust Board. The Trust Board oversees the operation and budget of the Reserve.

Funding:

The County contributes towards funding the Reserve through three mechanisms.

- **Operating Fund** - Per the 1988 Interlocal Agreement, the County created an Operating Fund for the ELNHR Trust Fund. The Trust Board uses this fund for their operating expenses, and functions in the same way as a bank account.
- **Recording Fees** - Per RCW 36.22.170, the County collects a surcharge of one dollar from each recording document to use for historic preservation, historical programs, or preservation of historical documents. These funds are collected and distributed on an annual basis. In 2017, the County received \$22,998 in total revenue from this fund, of which \$15,000 was allocated to ELNHR Trust Board.
- **Permit fees** - In 2017, fees collected from the Certificate of Appropriateness (COA) applications equaled \$8,575.00 from 52 COA applications.

Process Certificate of Appropriateness (COA) Applications:

According to the legislation act of 1978, the County's role in the management of the Reserve is to enact appropriate land use regulations through zoning to protect the historical rural setting of the Reserve. Through the review of COA's, new development, redevelopment, and land divisions are reviewed to make sure that they met the zoning code and the guidelines.

In 2017, the County received 52 COA applications in 2017. None of the COA's was an alteration or addition to a historic structure. One of the COA was for a Special Valuation (process in which a historic structure is reviewed to see if the improvements made to the structure meet the state and local requirements for a ten year tax break.)

COAs in 2017 took on average 50 days in review. The Special Valuation was in review for 42 days with a 35 day stop clock. The permit was not able to be closed until the property owners signed and recorded the required documents for the Special Valuation. Within the last five years, the HPC continued two applications to a second meeting; one of those two was alteration to a historic structure. The COA for that historic structure was in review for 51 days.

PROPOSED CODE CHANGES

The process review for each application is found under ICC 17.04A. There has been confusion from new staff, comments from the public, and Historic Preservation Commission recommendations for changes on the project review level. Town and County staff have drafted the following goals and objectives for this update:

- A. *Evaluate the decision types for projects within Ebey's Reserve to improve efficiency in the permitting process*
- B. *Codify existing practices/code interpretations*
- C. *Reevaluate the number of commissioners on the HPC and the definition of a quorum*
- D. *Amend the process for Special Evaluation.*
- E. *Reformat the Design Guidelines with updated section numbering and cross-references to improve internal consistency and ease of use*
- F. *Remove, modify, and augment guidelines to improve clarity, reduce redundancies, and address gaps in accordance with comments from the Historic Preservation Commission, Ebey's Landing National Historical Reserve Trust Board, stakeholders, staff, and the public.*
- G. *Provide guidelines for alternative energy structures*
- H. *Improve consistency with Secretary of Interior Guidelines*

Staff has drafted a recommended project approach, which is attached.

Attachments

- Draft Staff Recommended Project Approach for Ebey's Code Cleanup
- Ebey's Landing National Historical Reserve Legislation
- Interlocal Agreement for the Administration of Ebey's Landing National Historical Reserve, 1988
- An Interlocal Agreement between Island County, The Town of Coupeville, and the Trust Board of Ebey's Landing National Historical Reserve Relating to Historic Preservation and Protection within the Ebey's Landing National Historical Reserve as established under Chapter 17.04A ICC and Chapter 16.13 CTC, 2012
- ICC 17.04. Ebey's Landing National Historical Reserve Design Review and Community Design Standards