

Ebey's Minor Code Cleanup

Draft Staff Recommended Project Approach – 11/9/18

Summary

Within the last six years, the County Staff, Coupeville Town Planner, and Reserve Staff received numerous comments and concerns regarding the standards of review, ICC17.04A and TCC 16.13 (collectively hereafter referred to as 'the Code'), and the Ebey's Landing National Historical Reserve Guidelines ('Guidelines'). The Historic Preservation Commission (HPC) has provided additional feedback on changes they recommend for consideration. For the past year the Town and County have collectively reviewed the comments and prepared a number of proposed changes for consideration.

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Goals/Objectives

- 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, elected officials, stakeholders, staff, and the public.*
- G. *Provide guidelines for alternative energy structures*
- H. *Improve consistency with Secretary of Interior Guidelines*

Reason for Project

Updates to the Code

- A. **Evaluate the decision types.** The code (ICC 170.04A.090 - 120) directs staff to which review will be required for the proposed project. The code outlines three processes: Level A, a Type I review (i.e. building permit,) Level B, a Type II review (i.e. SEPA review), and Level C, a Type III (review to the HPC). During the last six years, staff finds that this section of code has confusing language. Staff and HPC recommend streamlining many projects to a simpler review.
- B. **Codify existing practices/code interpretations:** The Town and County staff agreed on two code interpretations within the past six years. The first interpretation was the justification to allow solar panels to be seen from the right-of-way. The second interpretation defines a mobile home within a mobile home park as an accessory use to a mobile home park. There are two mobile home parks within the Town of Coupeville, and that interpretation allows a new mobile home to be reviewed as a staff review and not HPC review.
- C. **Reevaluate the number of commissioners on the HPC and the definition of a quorum:** The code requires the Town of Coupeville and the County to appoint four commissioners and jointly appoint one member to the Historic Preservation Commission for a total of nine members. Staff from the County and Town interpret this code section (ICC 17.04A.060) that the quorum is tied to the nine member body and not the number of members appointed on the commission. This has become more of an issue this year as two regular scheduled hearings were canceled due to a lack of a quorum. The quorum is five members. By the end of 2017, there were 5 members on the HPC. The Steering Committee proposes reducing the HPC to seven members and defining the quorum to the number of appointees.
- D. **Amend the process for Special Evaluation.** Special Evaluation is a process in which a property owner may qualify for a tax reduction for improvements made to a historic resource (per RCW 84.26; WAC 254-20 and WAC 458-15). The code states that the HPC determines if the application is complete. Staff recommends amending this section to allow staff to deem the application complete, which is the process used for all other application types.

Updates to the Guidelines

- E. **Reformat the Design Guidelines with updated section numbering and cross-references to improve internal consistency and ease of use.** The guidelines number sections are confusing (i.e. guideline 4.5.1.1 refers to three different guidelines). Also there are sections of the guidelines that are intended to be applied to more than one section, but it does not read that way. Staff proposes adding cross references to the guidelines to make the intent clearer.
- 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, elected**

officials, stakeholders, staff, and the public. There are some proposals that are required to go through a process for review but the guidelines give very little guidance for the review. This section of the cleanup will also include a re-evaluation of whether or not metal roofs should be allowed on new Single Family Residences.

- G. **Provide guidelines for alternative energy structures.** The guidelines have little to say about solar panels and what is included pertains only to roof structures and there is no flexibility for alternative structures. Staff recommends adding flexibility to address new technology.
- H. **Improve consistency with Secretary of Interior Standards.** The guidelines and the code state that projects shall meet the Secretary of Interior Standards and the guidelines. There is inconsistency between how the guidelines and Secretary of Interior Standards apply to historic structures and how the Secretary of Interior Standards apply to non-historic structures. Currently, staff applies the Secretary of Interior Standards to historic structures only. However, the guidelines are written to require all new additions to historic structures and non-historic structures to look at the character defining features, keep character defining features of the existing structure, and make the addition look different from the original structure. The guidelines are matching the requirements that the Secretary of Interior Standards has for additions to historic structures. Staff recommends changing the guidelines to allow the property owner to remodel a non-historic house and additions to non-historic structures not to meet the Secretary of Interior Standards.

Project Support Team(s)

A steering committee will consist of Town Planner, County Planning staff, and the Reserve staff and two elected officials' appointees (Mayor Hughes and Commissioner Price-Johnson).

The review process will include a meeting with Historic Preservation Commission and The Trust Board of Ebey's Landing National Historical Reserve.

Outreach Plan

Staff recommends the following outreach will be necessary for this project:

- Partner Coordination includes Island County Staff with Town of Coupeville, and Reserve Staff
- Stakeholders Outreach would include a invitation to builders, consultants, and the Town's agenda notification list to a Historic Preservation Commissioner meeting and submit comments
- Meeting with the Trust Board of Ebey's Landing National Historical Reserve
- Joint work sessions with the Board of Island County Commissioners and Town Council and separate Planning Commissions (Town and County) as needed

Project Duration/Completion Estimates

- Late Fall 2019