

ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Island County Planning Commission
Ray Gabelein, Chairperson

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Findings of Fact

RE: 280/09 Ebey's Landing Design Review & Public Benefit Rating System (PBRs) Amendments

Summary:

CPA 280/09 Ebey's Landing National Historic Reserve & the Public Benefit Rating System (PBRs) – This Code amendment proposes to change the standards that govern development and alterations to property within the Ebey's Landing Historic Reserve. This amendment also proposes changes to criteria established within the PBRs current use tax program. These regulations are contained in Chapter 17.04 ICC, as well as standards that determine eligibility and point values in the PBRs tax assessment program, Chapter 3.40 ICC.

Findings:

1. In accordance with ICC 16.26.020 staff presented the Annual Review Docket, which include CPA 280/09, at a joint meeting of the Board of Island County Commissioners and the Planning Commission in February, 2009.
2. The County Commission Members, Town Council, Island County Commissioners, and the Trust Board recognized the benefits of a unified approach and directed their staff to proceed with a work program to fulfill the stated goals which included support of the protection of historic resources within the Ebey's Landing National Historical Reserve. The Town and County jointly prepared ordinances establishing uniform regulations (i.e., The Ebey's Landing National Historical Reserve Design Guidelines). The purpose is to protect historic resources within the Reserve and establish a comprehensive approach to design review within the Ebey's Reserve so as to more effectively promote rehabilitation and new construction that respects past traditions and is compatible within the cultural landscape of the Reserve. The unified and comprehensive design review process is a tool to promote sensitive rehabilitation of historic resources and to promote new construction by establishing consistent standards.
3. The County Historic Review Committee met jointly with the Town Design Review Board in a series of public workshop sessions to formulate recommendations to the Town and County staff on the Design Manual and Unified Code.

4. Pursuant to the State Environmental Policy Act (SEPA) Chapter 43.21C RCW, an environmental checklist was included with CPA 280/09. Island County, acting as the Lead Agency, reviewed the checklist and issued a mitigated threshold determination of non-significance (MDNS) on May 28th, 2009.
5. Consistent with RCW 36.70A.106 the Town of Coupeville and Island County jointly submitted the proposal to the Department of Commerce on June 15, 2009 for the required 60 day review.
6. The Town Planning Commission held joint public hearings with the Island County Planning Commission on the August 25, 2009, September 1, 2009, September 15, 2009, and October 20, 2009. The public comment portion of the public hearing process was closed on October 20, 2009 and the two Planning Commissions jointly deliberated until the public hearing was adjourned.
7. The County and Town held joint public workshops on July 28 and August 4, 2009 and joint public hearings with the Island County Planning Commission. The public comment portion of the public hearing process was closed on October 20, 2009 and the two Planning Commissions jointly deliberated until the public hearing was adjourned.
8. The Town Planning Commission separately continued their deliberations on December 1, 2009.
9. Staff provided copies of all written materials submitted by interested parties to the Planning Commission.
10. The Planning Commission concludes that all written materials submitted by interested parties were carefully and fully considered.
11. The Planning Commission raised concern that a preliminary draft of the Design Manual was presented but no final draft has been received. They concluded that a final draft of the Design Manual should be sent to the Planning Commission for review to ensure that it follows the vision of the manual as represented in previous public hearings.
12. The Planning Commission recognizes that measures need to be made to prevent and alleviate any undue or excessive economic hardships created by the revisions in this ordinance for property owners and farmers within the Reserve.
13. The Planning Commission agrees that 6 months is too short of a time for a development permit to expire and that any development permit should be valid for at least 2 years.
14. The Planning Commission concludes that Appendix A, titled Historic Sites, does not appear to be accurate and further analysis needs to be performed so that all registered Historic Sites are included.

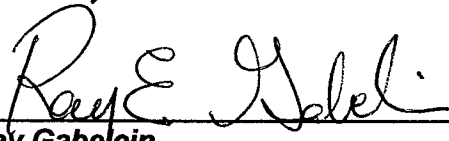
15. The Planning Commission agrees that all properties included in Appendix A, and any properties that will be included in this list, should be notified via mailing that their property is registered as a Historic Site.
16. The Planning Commission agrees that surrounding property owners should be made aware of properties who apply for tax benefit programs including the Public Benefit Rating System, Open Timber, Designated Forest, and Open Agriculture programs. Public notification requirements should be consistent with current regulations requiring a posting of a sign and publishing in the local County newspaper.
17. The Planning Commission agrees that property owners affected by the change in Open Space will have as much notice as possible.
18. The Planning Commission concludes that ample opportunity was provided for the public to submit comments and testimony on the proposed ordinances at the Public Hearings duly held to receive such comments and testimony.
19. The Planning Commission held deliberations on December 4, 2009. A motion was made to approve the amendments to 17.04 ICC and 3.40 ICC with the Commission's revisions and passed. A motion was also passed to allow Planning staff to draft the Commission's Findings of Fact with additional comments brought forward during the deliberations and authorized the Chair to sign the Findings of Fact following final review by the Commission members.

Conclusions:

The Island County Planning Commission has reviewed CPA 280/09 and hereby recommends that the Board of Island County Commissioners adopt the proposed amendments and Findings of Fact.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, pursuant to RCW 36.70A.040 and ICC 16.26, this

12th day of January 2010 by,



Ray Gabelein,
Island County Planning Commission, Chairperson

