



TOWN COUNCIL MEETING AGENDA Island County Hearing Room April 14, 2015 6:30 pm

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES AND APPROVAL OF AGENDA

APPROVAL OF MINUTES

- Council Meeting of March 24, 2015

MAYOR'S REPORT

AUDIENCE INPUT - See NOTE

PRESENTATION

- Coupeville Historic Waterfront Association, 15 minute presentation describing the organization and their activities.

PUBLIC HEARING

1. **Ordinance No. 719 establishing the salary for the Mayor and Repealing Ordinance No. 624.** - *Staff recommends adopting Ordinance No. 719 establishing the salary for the Mayor and Repealing Ordinance No. 624.*

NEW BUSINESS

1. **Authorization for the Town to apply for a USDA loan in the amount of \$800,000, to fund the utility portion of the upcoming Madrona Way Project** – *Staff recommends authorization for the Town to apply for a USDA loan in the amount of \$800,000, to fund the utility portion of the upcoming Madrona Way Project.*
2. **Approval of SSDP-012-15, A Shoreline Substantial Development Permit for Madrona Way Improvements** – *Coupeville Planning Commission recommends approval of SSDP-012-15, A Shoreline Substantial Development Permit for Madrona Way Improvements.*
3. **Resolution #15-04 Regarding CUP-008-15, Bed & Breakfast Inn for Ralph McCloud and Eleanor Weston located at 5 NE Ninth** - *Coupeville Planning Commission recommends approval of #15-04 Regarding CUP-008-15, Bed & Breakfast Inn for Ralph McCloud and Eleanor Weston located at 5 NE Ninth.*

AUDIENCE INPUT - See NOTE

EXECUTIVE SESSION – To discuss the acquisition of real estate related to the Madrona Way Project.

4. **Approve Administrative Offer Summary for Right of Way for Madrona Way Improvement Project, consistent with the summary discussed in executive session.**

ADJOURN

NOTE: Audience Input - This is time set aside for members of the public to speak to the Council about subjects of concern or interest, or items not already set aside for a public hearing. Questions presented may not be answered immediately if all information is not available, but will be responded to as soon as possible. To ensure your comments are recorded properly, you need to state your name and address clearly into the microphone. Please limit your comments to 5 minutes. Input requiring more lengthy comment is best submitted in writing.

NOTE: Persons with disabilities requiring elevator access to the Hearing Room, please call twenty-four (24) hours prior to the scheduled event to Clerk-Treasurer (360) 678-4461, ext 7.

**Town of Coupeville
Regular Council Meeting
March 24, 2015
6:35 p.m.**

PRESENT: Mayor Nancy Conard, Councilmembers Dianne Binder, Bob Clay, Molly Hughes and Pat Powell.

Council Action: A motion was made by Councilmember Molly Hughes, second by Councilmember Pat Powell, to excuse Councilmember Jackie Henderson from the meeting. The motion passed unanimously.

STAFF PRESENT: Clerk Treasurer Kelly Beech

CHANGES AND APPROVAL OF THE AGENDA

Council Action: A motion was made by Councilmember Bob Clay, second by Councilmember Moly Hughes, to approve the Agenda as submitted. The motion passed unanimously.

APPROVAL OF MINUTES

Clerk Treasurer Kelly Beech pointed out that in the February 24, 2015 minutes, Port Executive Director David Day was incorrectly identified as Port Commissioner.

The minutes of the Regular Meeting of February 24, 2015 were approved as corrected.

MAYOR'S REPORT

- Mayor Conard attended the Economic Development Council's annual luncheon, along with Councilmembers Dianne Binder and Molly Hughes, where Governor Jay Inslee was the keynote speaker.
- Mayor Conard spoke briefly about a USDA loan to fund the utility portion of the Madrona Way project. The Mayor explained that she would be bringing more information to the council at the next Council Meeting, and that she would be seeking authorization to apply for the loan at that time.
- Mayor Conard met with organizers and staff to discuss the 2015 MusselFest. The event is growing each year, and organizers and staff are working on ways to improve the experience for visitors.
- Mayor Conard informed the Council on the status of the Whidbey General Hospital construction project.
- Mayor Conard reminded the Council that a public presentation the Town is cosponsoring with Pacific Rim Institute, led by the Department of Fish & Wildlife, titled "Too Much Love? Is Feeding wildlife doing more harm than good?" will be held in the Rec Hall on April 21st, at 7:00pm.
- Finally, Mayor Conard reminded the Council that the annual Town clean-up day would be Saturday, April 4th; and that the Community Garden is scheduled to open on May 1st.

AUDIENCE INPUT

Audience member Gary Piazzon addressed the Council to provide information about the upcoming Plant for the Planet Academy being held at the Pacific Rim Institute on March 28th, and invited the Mayor and Council to attend.

NEW BUSINESS

Approval of Special Event Permit #15-001, Oak Harbor Youth Sailing

Council Action: A motion was made by Councilmember Dianne Binder, second by Councilmember Pat Powell, to approve the Special Event Permit #15-001, Oak Harbor Youth Sailing. Questions were asked and answered. The motion passed unanimously.

Approval of Interlocal Agreement for Island County Planning and Building Department to Perform Building Permit Plan Review and Inspection Services

Council Action: A motion was made by Councilmember Pat Powell, second by Councilmember Bob Clay, to approve Interlocal Agreement for Island County Planning and Building Department to Perform Building Permit Plan Review and Inspection Services. Questions were asked and answered. The motion passed unanimously.

Approval of March 24, 2015 Claims Vouchers/Warrants and February Payroll

Council Action: A motion was made by Councilmember Molly Hughes, second by Councilmember Dianne Binder, to approve the March 24, 2015 claims vouchers/warrants #30579 to #30637 for a total of \$250,954.33; and the February 2015 payroll warrants #30516 to #30578 for a total of \$63,237.22. Questions were asked and answered. The motion passed unanimously.

STAFF REPORTS

Clerk Treasurer Kelly Beech spoke about the monthly report she provided to the Council and answered questions.

DISCUSSION

Mayor Conard submitted a draft example of Ordinance No.719 establishing the salary for the Mayor and repealing Ordinance No.624 for discussion. The final draft of the proposed Ordinance will be presented at a Public Hearing on April 14th.

STAFF REPORTS

Clerk Treasurer Kelly Beech spoke briefly about the reports she provided to the Council. Questions were asked and answered.

COUNCIL REPORTS

Councilmember Bob Clay shared information about the most recent Law & Justice Council Meeting where they discussed the budget process and the possibility of a levy. They also spent some time reviewing current legislative items that will affect law and justice, paying special attention to proposed

unfunded and underfunded mandates. Councilmember Clay also attended a recent Town Hall style meeting where Senator Barbara Bailey, Representative Dave Hayes, and Representative Norma Smith were all speakers. The purpose of the meeting was to answer questions from attendees and offer updates on the current legislative session. Finally, Councilmember Clay shared that he had met with NET Coordinator Bonnie Abney to discuss efforts in the Madrona Area.

Councilmember Pat Powell commented that she also met with NET Coordinator Bonnie Abney and mentioned how impressed she was with Bonnie’s enthusiasm. Councilmember Powell also shared that the Whidbey Camano Land Trust sponsored a work party at Krueger Woods where volunteers removed trash, blackberry bushes and spurge laurel.

Councilmember Dianne Binder informed the Council that the island county tourism website (www.whidbeycamanoislands.com) has experienced a 17% increase in visitors, and that the group is working on a mobile compatible version to capture even more viewers. Councilmember Binder also mentioned that she would be attending a luncheon where the focus would be solving the challenge of websites like AirBNB.com.

Councilmember Molly Hughes reported that she attended the Governor’s luncheon with the Mayor, and that she was pleased to learn how familiar with Governor Inslee is with Whidbey Island. Councilmember Hughes shared that 2016 is the National Parks Service Centennial year and that as part of the year-long celebration all fourth graders and their families will be able to camp for free in any National Park. She encouraged the Council to check out FindYourPark.com when it goes live on April 2nd to learn more about the National Park Service and our national parks. Finally, Councilmember Hughes informed the Council that the final selections for the 2015 Ebey’s Forever Grants have been made. The organization had just finished issuing a press release listing the recipients and it would be published in the next edition of the Whidbey News Times.

AUDIENCE INPUT

Audience member Ricardo Reyes, of 701 NW Krueger, asked for guidance on who to contact about the traffic islands in the Peaceful Valley Community. The Mayor directed him to contact Kelly Riepma, Public Works Superintendent.

EXECUTIVE SESSION

The Mayor stopped the regular Meeting at 8:20pm to enter into Executive Session to review the performance of a public employee. The Council returned from Executive Session at 8:58pm and the Regular Meeting resumed for adjournment.

ADJOURNMENT: 9:00 pm

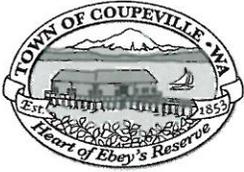
Respectfully Submitted:

MAYOR:

Kelly Beech, Clerk Treasurer

Nancy Conard

A complete audio recording of this meeting is available upon request from the Clerk-Treasurer.



MEMORANDUM from Mayor Nancy Conard *NC*

Date: April 10, 2015
To: Town Council
Re: Ordinance 719, establishing Salary and Benefits for Mayor

As we have discussed at several workshops and the last council meeting, we are planning for the succession in mayors as a result of my retirement at the end of this term. Existing Ordinance 624 was crafted for the current circumstance, in which I am performing the duties of mayor as well as those typically performed by a Town administrator. It was never expected that this situation would continue with a new mayor and that the ordinance would be revised when that happened.

Prior to Ordinance 624 being adopted, the salary for mayor was \$500 per month. Even taking away the administrative tasks, the job of the mayor has become more demanding and complicated. During the last twenty years, the community has become accustomed to a mayor who is visible and accessible. In conversations with the Town Council, we have considered a salary level that provides compensation to recognize the time a mayor needs to spend in service

Ordinance 719 proposes a monthly salary of \$3,000 plus insurance benefits for the mayor. The mayor's duties are as set forth in RCW 35.17.

In addition, staffing changes are being made this year, and the administrative responsibilities assumed by me are being shared among existing and proposed staff.

TOWN OF COUPEVILLE
Coupeville, Washington

ORDINANCE NO. 719

AN ORDINANCE ESTABLISHING THE DUTIES, SALARIES AND BENEFITS OF THE MAYOR OF THE TOWN OF COUPEVILLE, WASHINGTON, ESTABLISHING A NEW CHAPTER 2.06 OF THE COUPEVILLE TOWN CODE ENTITLED "MAYOR", REPEALING ORDINANCE 624 AND PROVIDING FOR SEVERABILITY.

WHEREAS, the hours, duties, salary and benefits of the mayor of the Town of Coupeville were previously established by Ordinance No. 624; and

WHEREAS, the statutory duties and authority of the Mayor are set forth in Chapter 35.27 RCW; and

WHEREAS, The Town Council has determined that additional duties above and beyond the requirements in RCW Chapter 35.27 are no longer required of the Mayor; and

WHEREAS, without the additional duties required under Ordinance 624, the Town Council wishes to revise the hours, duties, salary and benefits of the Mayor; and

WHEREAS, the Mayor of the Town of Coupeville is not a member of the Town Council and did not cast a vote in the enactment of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF COUPEVILLE, WASHINGTON, as follows:

Section 1.

Coupeville Town Code is hereby amended to add a new Chapter 2.06 entitled "Mayor" to read as follows:

2.06.010 Duties

The Mayor shall have all the executive powers, duties, and responsibilities extended to him/her set forth in Chapter 35.27 RCW as the same now exists, or as amended.

2.06.020 Compensation

The monthly salary of the Mayor shall be Three Thousand Dollars (\$3,000). The Mayor shall receive the same health insurance package offered to full-time employees of the Town and the Mayor may elect to provide spouse and dependent coverage at the Mayor's own expense.

Section 2.

Ordinance 624 is hereby repealed for the reason that it is replaced by this Ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the Town, and shall take effect and be in full force January 1, 2016.

PASSED by the Town Council and **APPROVED** by the Mayor on this ___ day of ____, 2015

MAYOR

Nancy Conard, Mayor

APPROVED AS TO FORM

ATTEST

Grant K. Weed, Town Attorney

Kelly Beech, Clerk-Treasurer

Published: _____



STAFF REPORT

DATE: April 14, 2015
TO: Town Council
FROM: Bridget Smith, Town Planner
RE: Shoreline Substantial Development Permit #SSDP-012-15
ATTACHMENTS: Application, Maps, Drawings, NEPA approval, SEPA Determination, De Minimis Impact documentation, DAHP Archeologist letter, CTC Section 16.34.130 Exception Request approval

SITE CHARACTERISTICS + PROJECT INFORMATION

Address: NW Madrona Way from NW Broadway St., westerly to the Town Limits

Parcel #: The project is in Town Right Of Way + 524sf of R13233-322-1850

Zoning Designation: The project is in Town Right Of Way and in RM-9600

Shoreline Environment Designation: Urban Conservancy

Critical Areas: Unstable Slopes

Existing Land Use (Approved): Road and utilities

Proposed Land Use: Road and utilities

SUMMARY

In order to replace aging infrastructure, the Town of Coupeville is proposing to construct the following utility and road improvements along NW Madrona Way from the intersection of Broadway Avenue, westerly to the town limits. Improvements include:

- Water and sanitary sewer mains;
- A sanitary sewer lift station at the southeast corner of the intersection of Vine Street and NW Madrona Way including an 8'x8' control building, generator on a concrete pad, a below-ground pump system, and landscaping to screen the installation;
- A 4 foot wide crushed rock path with occasional 5 foot wide sections to meet barrier free requirements;
- Two sections of retaining wall (maximum 3 foot high). One wall will be constructed southerly of the proposed lift station; the other wall will be at the southwest corner of the intersection of Vine Street and NW Madrona Way;
- A storm water system including a bio-filtration swales along the southerly roadway edge;
- Reconstruction of the road surface and subgrade

CURRENT STATUS

The Town of Coupeville received an application on Jan 26, 2015. The application was determined complete on this same date.

A notice of application utilizing the optional DNS process was issued in accordance with the requirements of Coupeville Town Code (CTC) Section 16.06.050 on February 11, 2015 with a 30-day public comment period. No written comments were received.

A State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on March 19, 2015 with an appeal period ending April 2, 2015.

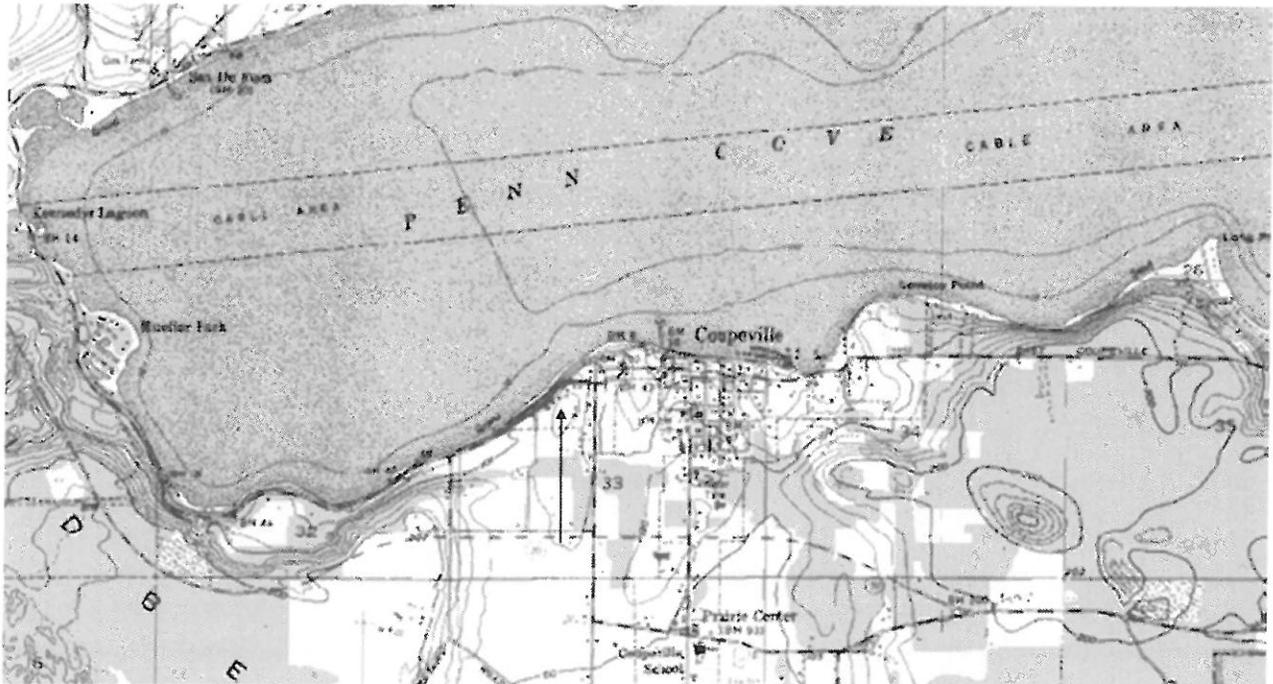
The project received a Certificate of Appropriateness (COA) from the Ebey's Landing National Historical Reserve Committee on October 23, 2014 with three conditions.

A proper public notification in accordance with the requirements of CTC Section 16.06.040(B) a public hearing was provided for a Planning Commission meeting on April 7, 2015. Two people spoke at the Public Hearing with questions; one noted their support of the project.

A Critical Area Exception per Section 16.34.130 was required including a public hearing. The hearing was held on April 7, 2015. There were no public comments. The Exception Request was approved by Town staff on April 9, 2015

Prior to permit issuance for the SSDP:

- Property acquisition for approximately 524sf of parcel R13233-322-1850 at 605 NW Madrona Way. This needs to have documents legally recorded and provided to the Town.



Vicinity Map

ANALYSIS:

This project proposal is in a right of way in the west portion of town along NW Madrona Way, from NW Broadway St. to the Town Limits. Due to the projects proximity to the shoreline, and its expansion of existing services, it requires this Shoreline Substantial Development Permit for review and compliance to the Shoreline Master Program (SMP). The SMP designation is Urban Conservancy. The project location is within a Town designated critical area for unstable slopes. It is also within Ebey's historical Reserve and adjacent to historic properties. The area is known to have the potential for archeological resources. The zoning of the adjacent properties to this project is residential.

The project consists of replacing existing utilities, adding elements to support the utilities such as a lift station, adding a bio-swale, installing a storm water system to improve water quality and eliminate runoff from the roadway surface to the bluff edge, repaving the road and adding a pedestrian walkway. The proposal provides an overall improvement to the ecological functions of the area and adds pedestrian safety while taking precautions to preserve the historic integrity of Ebey's Reserve. The project also proposes mitigation due to the location designated 'unstable slopes' per the Towns critical areas map. The applicant has procedures in place for protection of archeological resources.



Project Location

Following is the CTC language applicable to this project. I have shown how the project responds to the requirements.

ZONING

16.08 Zoning Districts

16.08.090 - Public utilities.

The provisions of this title shall not be construed to limit or interfere with the installation, maintenance and operation of public utility pipe lines and electric or telephone transmission lines when located in accordance with the applicable rules and regulations of the state of Washington within rights-of-way, easements, franchise or ownerships of such public utilities.

The provisions of the zoning districts are not applicable to the ROW portion of this project. The project encroaches onto a property a 605 NW Madrona that is in the RM 9600 zone. The zoning section would apply to this parcel. The intent is to have the parcel purchased and legally transferred to the Town. This would solve the zoning issue. Town Staff recommends adding a condition to require this transfer of ownership, with recording of the legal documentation, for compliance with this section. The recording should be required to be complete prior to construction.

SHORELINE MASTER PROGRAM

Shoreline Master Program

16.30.160 Shoreline Use

B. Policies

- 5. Shoreline areas outside of the historic urban environment should be reserved for low density residential uses, public infrastructure, or recreational uses.*
- 7. All activities, development, and redevelopment should be located, designed and operated to ensure public safety, enhance public access, and achieve no net loss of shoreline ecological functions.*
- 9. All known, available and reasonable methods of prevention, control and treatment (AKART) are required for all developments and redevelopments to prevent, control, or abate the pollutants associated with any discharge. This requirement applies to both point and nonpoint sources of pollution.*
- 10. The goals and policies of this master program should be considered in all land use decisions that affect uplands adjacent to the shoreline.*

This Section covers a general overview of the project as it relates to the SMP. The proposed project is public infrastructure and is therefore allowed in a shoreline area.

The project area currently has a road with a ditch adjacent to it that is maintained by the Town. The road surface is in poor condition creating a hazard for bicyclists. Pedestrians use the road edges.

The addition of a pedestrian path separated from the vehicular roadway adds safety and improved access for pedestrians. The repaving of this road will enhance safety for bicycles. There is no net loss of ecological function due to this project. The proposal replaces the ditch with a grass lined bio-swale that will improve the removal of pollutants from the storm water and

decrease the speed of water flow. Installing a storm water system improves water quality and the repaving using a thickened edge on the shoreline side of the road helps eliminate runoff from the roadway surface to the bluff edge. The project meets the goals and policies of this Section.

16.30.170 Economic development

B. Policies

- 5. Industrial development and water-dependent uses, other than public access, recreation, boating, infrastructure developments, and navigation, are not historically appropriate for the Town, nor are they environmentally acceptable in view of the restrictions to navigation presented by the low-tide beach terrace.*
- 6. All development within shoreline jurisdiction should be designed and constructed:
 - a. In a manner appropriate to the site and vicinity;*
 - b. To minimize adverse effects on the land and water environments;*
 - c. To protect ecosystem wide functions and ensure no net loss of system-wide ecological functions.**
- 7. Development and use of public lands should conform to the same limitations and standards imposed on development and use of private lands.*

The proposed project is allowed and as noted above, minimizes adverse effects and has no net loss of system wide ecological functions. NW Madrona Way is also part of the critical infrastructure, as road access to existing residential development, and a vital connection that encourages continued economic development of the Town.

16.30.180 - Public access and public shoreline views.

B. Policies

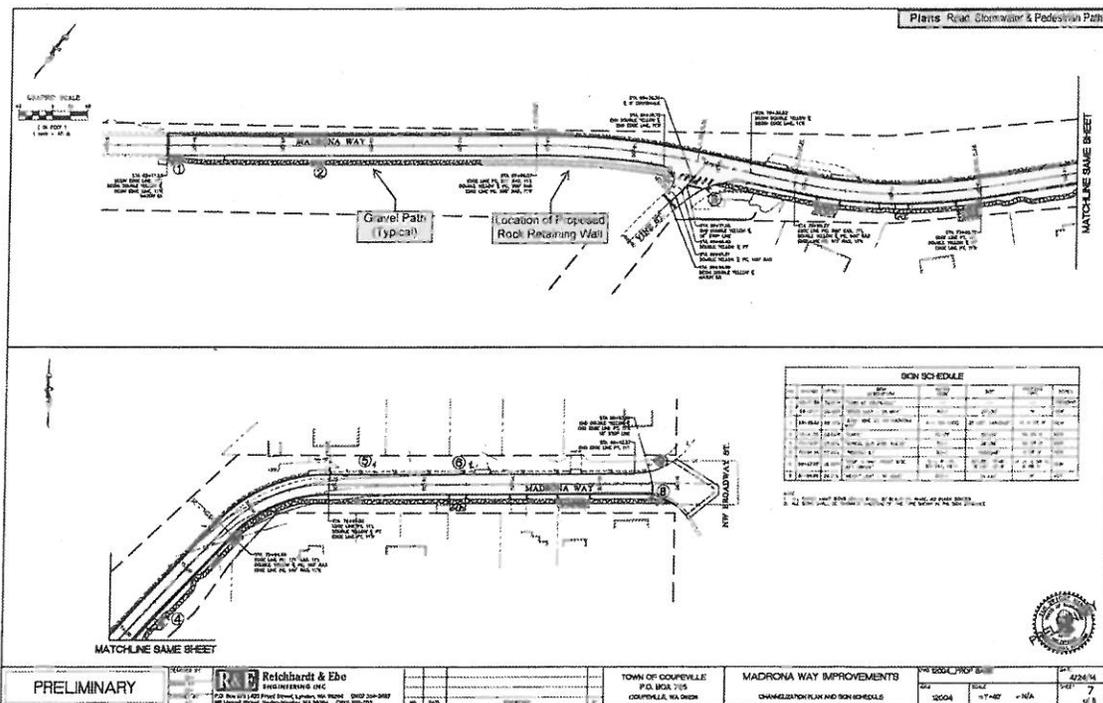
- 1. Within its available resources, the Town should improve public access to shorelines consistent with the Town's nonmotorized trails plan.*
- 2. Public views of the shoreline should be protected. View protection can include preventing view blockage through height limitations or requiring aesthetic enhancement with landscaping. The excessive removal of vegetation to create views or enhance partial existing views should not be permitted.*
- 3. Where appropriate, public rights-of-way extending to the shoreline should be made available for public access or shoreline view access.*
- 4. Public access should be designed with provisions for physically impaired persons where possible.*
- 5. Buffers or other appropriate design features should be provided in public access areas where necessary to protect private property and to clearly separate public and private use areas.*
- 6. Public access provisions should be designed to provide for public safety and to alleviate potential impacts to private property and individual privacy.*
- 7. The nature and time of use of public access areas should be regulated by specific permit conditions where potential hazards for injury exist.*

8. Public access to and along local shorelines should be required in association with most proposed private and public developments within shoreline jurisdiction.
10. Public access as close as possible to the water's edge should be provided.
13. Substantial development within the local shoreline should not impair or detract from the public's physical access to the water.
14. Public shoreline views should be preserved to the maximum extent consistent with the rights of the owner whose property is proposed for development.

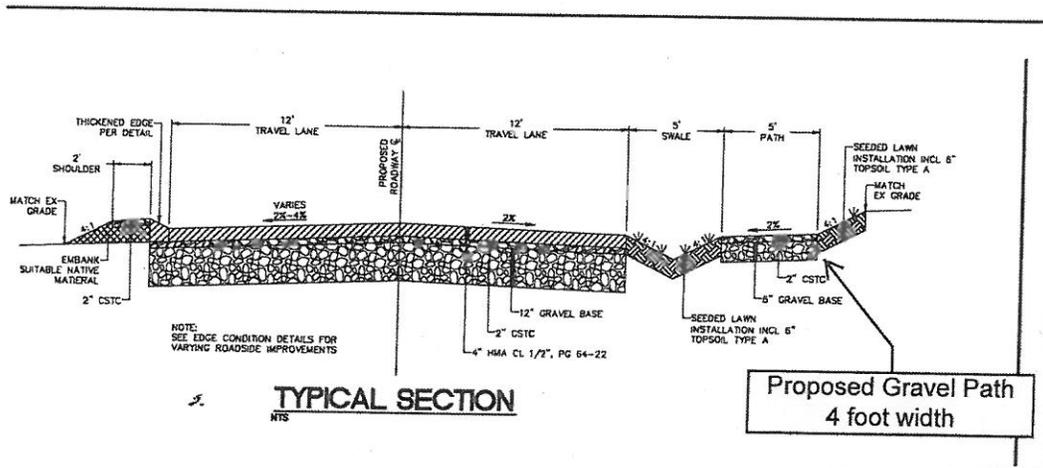
This Section focuses on requirements for protecting and improving the access (physical or view access) to the shoreline. It requires reasonable buffers between private and public realms and it requires attention to public safety.

The improvement for shoreline access (view) is provided by the proposed addition of the pedestrian trail. It is placed in the ROW at the same or higher grade than the road which allows for view access. There is an 8'x8' shed proposed at the corner of NW Madrona Way and Vine. The grade at this location is lower than the adjacent residential property and the height is minimized per a condition in the COA. The proposal adds native plantings to screen this installation. The road has no additional potential impact on the upland residential properties regarding view access.

There is no intention of removing existing trees or vegetation that will decrease the buffer between the residential properties and the public ROW. A fence in the ROW will be removed for construction and then replaced in the same, or close to the same location as the existing fence. Public safety is enhanced by the addition of the pedestrian trail that is separate from the roadway.



Roadway and Pedestrian Path plan



16.30.190 - Circulation.

B. Policies.

1. The capacity of the local shoreline to absorb circulation impacts should be considered when reviewing proposals for development within the local shoreline.
2. Pedestrian and bicycle routes to and along the shoreline should be encouraged and integrated into adopted land use and capital improvement plans.
3. Provide and/or enhance physical and visual public access along shoreline public roads (i.e., turnouts, viewpoints and rest areas) where appropriate given topography, views and natural features.
5. Roads within the shoreline jurisdiction should be maintained at minimum widths consistent with safety standards for limited speed roadways.
6. When building, improving or maintaining roads, the Town should consider the ecological function of and ecological impacts to the shoreline.
8. Land that is scarred or stripped of natural cover as part of transportation projects should be replanted with native species.

The 'circulation' Section of the SMP looks at road capacity, encouraging pedestrian and bicycle routes, enhancing access, using minimum road widths, ecological impacts and replanting of native species.

There is no change to the 'capacity' of road since there is no new development 'uses'. The existing road is 22-23' wide. The road width is maintained with no increase proposed, which is less than the town Standards of 24'. This was required by Ebey's Reserve and approved by WSDOT. The current drawings show the road as 24' wide and therefore the permit should be conditioned to hold to the current width with no increase to the footprint.

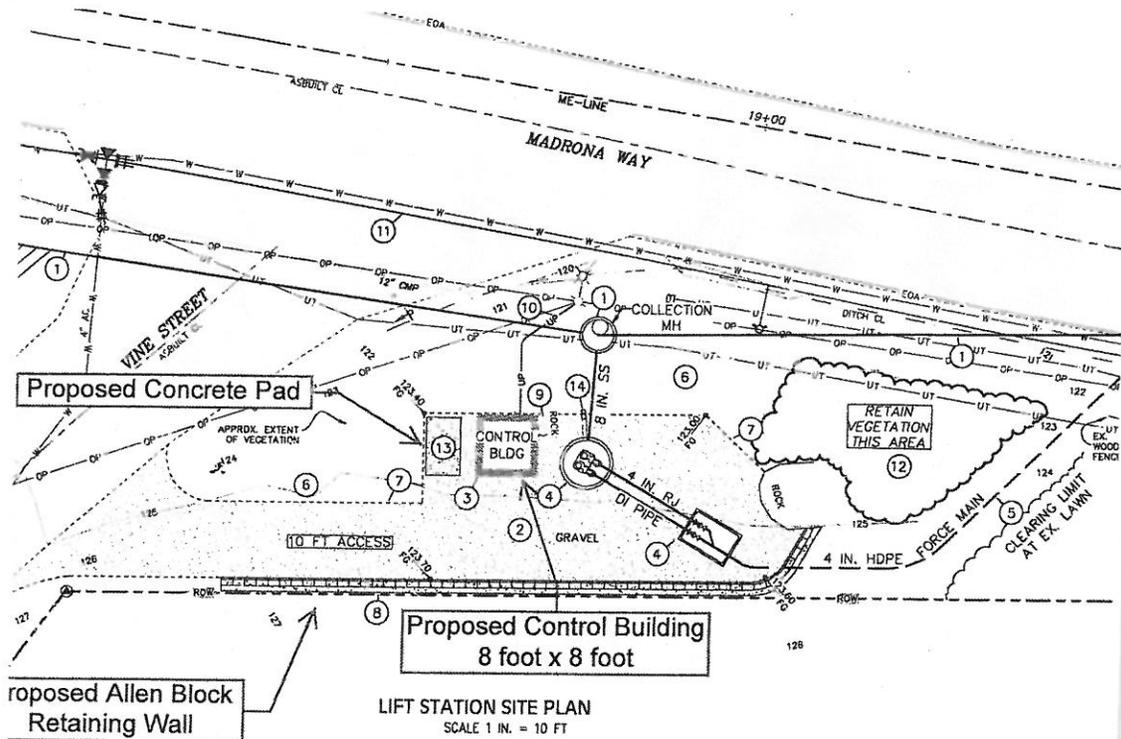
The proposed project adds a gravel pedestrian path to the south side of the road. This adds the opportunity of more visual public access to the shoreline. In addition, this pedestrian path has occasional 5' wide turnaround areas allowing for barrier free access.

The ecological impacts were considered which is reflected in the design. The existing road allowed storm water to flow from the road surface to the shoreline side and to a ditch on the opposite side of the road. The proposal provides a thickened edge to the shoreline side of the road controlling runoff and potential erosion. A grass lined bio swale and storm drainage system replaces the ditch which provides a higher level protection.

The removal of existing vegetation is minimized. At the corner of NW Madrona and Vine, there is a required added lift station. At this location, a portion of an existing hedgerow is removed for construction purposes. A landscape plan was provided showing a replanting scheme using native species plants. The CTC also has tree protection requirements to be used during construction.



Photo Looking east at NW Madrona Way and Vine



SITE PLAN NOTES	
#	REMARKS

Proposed Retain

Site Plan at NW Madrona Way and Vine

16.30.220 - Historic and cultural preservation.

B. Policies.

1. Archaeological or historic resources have been identified in shoreline jurisdiction, based upon information provided by the Washington Department of Archaeology and Historic Preservation (DAHP), Ebey's Landing National Historical Reserve, the National Park Service, and local affected Indian tribes. Undeveloped historic sites having significant value shall be kept free of development until their value for preservation and/or removal is determined by the appropriate authorities consistent with Chapter 15.16 and Section 16.08.070 of the Coupeville Town Code.
2. Protect the historic resources of the Town while minimizing the impact to critical areas and natural shoreline processes.
6. All shoreline permits shall contain a provision requiring all activity in the immediate area of the site to stop and the shoreline administrator notified immediately if, during excavation or site development, any area of potential archaeological significance is uncovered. Activities authorized by the permit shall be delayed until the shoreline administrator receives notice that the find has been managed consistent with governing law.

8. *Development and redevelopment within historic sites should be subject to the approval of the design review board, which must consider such actions consistent with Secretary of the Interior's Guidelines and Standards for Rehabilitation.*
9. *Design review board will consider the appearance of projects from the perspective of views from marine waters as such is a character defining feature of the Town.*
10. *When applying for a development permit, developers shall provide for a site inspection and a report by a professional archaeologist if the proposed development is in areas indicated on maps maintained by the Town or Washington State Department of Archaeological and Historic Preservation (DAHP) to be archaeologically significant.*
11. *Historical, cultural and archaeological site development should be planned and carried out so as to prevent or minimize impacts to the resource.*
12. *Owners of property containing identified historic, cultural or archaeological sites are encouraged to make substantial development plans known well in advance of application, so that appropriate agencies such as, the affected tribe, DAHP, and others may have ample time to assess the site and make arrangements to preserve historical, cultural and archaeological values as applicable.*
13. *If development is proposed adjacent to an identified historic, cultural or archaeological site, then the proposed development should be designed and operated so as to be compatible with continued protection of the historic, cultural or archaeological site.*

The Historic and Cultural Preservation Section helps protect the archeological and historic resources that could be affected by the project.

A cultural resources (CR) report was provided by ERCI. The report provided the physical and cultural history of the project site and showed that appropriate processes required by code were followed. Project management responsibility was also outlined.

A protocol was required which included working with WSDOT, a cultural resources manager, and notifying the Native American Tribes of the project. The WSDOT archeologist made contact with DAHP and the Suquamish, Swinomish and Tulalip Tribes. Letters of these communications were provided in the report. Recommendations also included the 'unanticipated discoveries protocol' and monitoring plan. It is recommended this be a condition on the permit. There was pretesting done including 80 shovel tests and a machine trench. 100% were found to be negative for archaeological material.

The CR report provided a historic properties inventory with an analysis. This report and recommendation was reviewed by DAHP and Ebey's Landing National Historical Reserve Trust Board. DAHP provided a letter with a determination of 'no adverse effect' and the Reserve concluded the project has a De Minimis impact. An approval from WSDOT/FHWA for the De Minimis concurrence has not been received at this time and staff recommends this be made a condition on the permit.

A Certificate of Approval (COA) from the Historical Reserve Commission was obtained on October 23, 2014 with three conditions. Their review included looking at two properties having contributing structures along the project area. The White house at 605 NW Madrona Way and the Black/Lindsey house at 701 NW Madrona Way. Other issues addressed were the above ground mechanical equipment, an 8'x8' shed enclosing the lift station, retaining walls (one rockery and one Allan block wall) and landscaping. The conditions to the approval are:

- The 8x8 building and generator shall be painted a color to recede/blend into the landscaping. The color shall be submitted and approved by the Town prior to construction.
- The proposed Allen wall to the SE of NW Madrona Way and Vine Street shall be revised to be a rockery similar to the rockery proposed to the SW of NW Madrona Way and Vine Street.
- The building be removed or minimize the impact of the building by reasonable means, including reducing the height.

The COA conditions should be carried over to this permit.

16.30.240 - Environmental protection.

B. Policies.

1. The adverse impacts of shoreline developments and activities on the natural environment should be minimized during all phases of development (e.g., design, construction, operation, and management).

Policies.

2. Locate and design development to minimize risks to people, property and other critical areas associated with geologic and flood hazard areas.

3. Provide a level of protection to critical areas that is equal to or greater than the level of protection provided by the adopted Town critical areas regulations.

4. Encourage shoreline developments or activities that serve to enhance ecological functions and/or values and those that protect and/or contribute to the long-term restoration of properly functioning conditions for proposed, threatened and endangered species consistent with the fundamental goals of this master program.

5. Ensure, through appropriate monitoring and enforcement measures, that all required conditions are met, improvements installed, and properly maintained.

This Section covers the critical areas concerns regarding ecological functions of the site and protection of people and property. It includes the construction sequencing and long term affect.

A biological assessment Report was created by Widner and Associates on February 28, 2014. The project area was evaluated for Federally Listed Species and Designated Critical Habitat. The analysis resulted in a determination of 'No effect' for identified concerns.

The SMP requires the critical area ordinance be followed. This is in CTC Section 16.34. The applicable sections of code are provided with how the project complies.

CTC 16.34.010 Purpose

F. (underlining added) This Chapter is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this chapter to make a parcel of property unusable by denying its owner reasonable economic use of the property or to prevent the provision of public facilities and services necessary to support existing development and planned for by the community without decreasing current service levels below minimum standards.

16.34.130 - Exception—Public agency and utility.

- A. *If the application of this chapter would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this section.*
- B. *Exception Request and Review Process. An application for a public agency and utility exception shall be made to the Town and shall include a critical area identification form; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW, as it now exists or may be hereinafter amended). The town planner shall issue a decision based on review of the submitted information, a site inspection, and the proposal's ability to comply with public agency and utility exception review criteria in Subsection D.*

The applicant provided documents equivalent to a critical area report, permit applications to other agencies, special studies, and environmental documents.

Applications/approvals to other agencies provided include:

- NEPA approval January 15, 2015, including the Environmental Classification Summary
- DAHP – Determination of ‘no adverse effect’ – January 14, 2015
- De Minimis Concurrence – approval February 23, 2015 from Ebey’s Landing Reserve. The process is currently under review at WSDOT/FHWA.
- Ebey’s Landing National Historic Reserve, Certificate of Appropriateness, approval October 23, 2014

Special studies provided include:

- Biological Assessment
- Reconnaissance Level Geologic Hazard Evaluation - August 26, 2009
- Geologic Hazard Evaluation Update - January 26, 2015

- C. *Town Planner Review. The town planner shall review the application and town planner's recommendation, and conduct a public hearing pursuant to the*

provisions of CTC 16.06.040. The town planner shall approve, approve with conditions, or deny the request based on the proposal's ability to comply with all of the reasonable use exception review criteria in Subsection D.

D. Public Agency and Utility Review Criteria. The criteria for review and approval of public agency and utility exceptions follow:

- 1. There is no other practical alternative to the proposed development with less impact on the critical areas; Relocation of portions of the roadway to the south was considered but costs, including the need for right-of-way acquisition, would make the project impractical*
- 2. The application of this chapter would unreasonably restrict the ability to provide utility services to the public; without the construction of the proposed utility improvements, the water and sewer mains in this area will eventually fail completely. In time, the failure of these utilities, most notably the water main, will result in large leaks and pipeline rupture. Water main failures in the vicinity of steep slopes are a common cause of bank and bluff slides.*
- 3. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site; The slope instability is addressed by the Geotechnical engineer. The Geotech engineer, Timothy Peter, L.E.G. of Associated Earth Sciences provided written information on March 24, 2015 that "it is my opinion that the current proposal will not increase the risk of sliding on the bluff".*
- 4. The proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science; A 2009 report by Associated Earth Sciences Inc. noted that the installation of the utilities presented a 'low risk' to the stability of the bluff. Specific construction methods and recommendations were made in this report including avoiding disturbing trees and vegetation and no stockpiling of materials on the bluff, limiting construction to the dry season, not allowing concentrated runoff to be discharged on or above the bluff. The report provides processes to follow if the recommendations are not met. A process is also recommended if ground water is encountered.*

A report by Associated Earth Sciences Inc. dated January 26, 2015 provided conceptual recommendations for mitigation including placing traffic barriers, erosion control practices at the toe of the bluff, use of retaining walls and moving the road. The options provided are not available for implementation. The Town recommends an amendment be required to the engineering report for mitigating measures including and not limited to monitoring including specific triggering mechanisms and process to follow. Staff recommends this be made a condition of the permit SSDP-012-15.

- 5. The proposal is consistent with other applicable regulations and standards. The project engineer will be required to follow all Best Management Practices (BMP's) and a Temporary Erosion Control Plan (TESC) has been provided.*

- E. *Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application..*

An Exception Request was provided on March 24, 2015. On April 7, 2015, per CTC Section 16.24.130, a Public Hearing was held. The Exception Request was approved on April 9, 2015 by the Town planner. The required criteria were met as shown above.

16.30.260 - Critical areas.

Policies.

2. *Locate and design development to minimize risks to people, property and other critical areas associated with geologic and flood hazard areas.*
3. *Provide a level of protection to critical areas that is equal to or greater than the level of protection provided by the adopted Town critical areas regulations.*
4. *Encourage shoreline developments or activities that serve to enhance ecological functions and/or values and those that protect and/or contribute to the long-term restoration of properly functioning conditions for proposed, threatened and endangered species consistent with the fundamental goals of this master program.*
5. *Ensure, through appropriate monitoring and enforcement measures, that all required conditions are met, improvements installed, and properly maintained.*

The concerns of this section were covered above in the exception request.

Article V. - Designated Shoreline Environments

Applicable Sections follow:

16.30.290 - Urban conservancy environment.

A. *Statement of Purpose. The purpose of the urban conservancy designation is to recognize and provide for residential areas and other uses, such as recreation, that are compatible with residential use, while protecting ecological functions and restoring ecological functions to degraded areas. This environment is intended to provide for low density lifestyles, promote open space, and minimize impervious surfaces. Such shoreline areas include largely undisturbed portions of shoreline areas such as unstable bluffs and ecologically intact shoreline habitats. Ecologically intact shorelines, as used here, means those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures, and intensive human uses. This environment is able to tolerate limited or carefully planned development or resource use.*

B. *Designation Criteria. Areas to be designated urban conservancy shall meet one or more of the following criteria:*

1. *Areas designated for public use; or*

2. Areas planned for single-family residential use, in terms of utilities, access, and amenities, and where bluff edges and shorelines are relatively undeveloped;
3. Any areas that are not mapped and or designated will automatically be assigned an urban conservancy designation per WAC 173-26-211(2)(e).

C. Management Policies.

1. Give preference to those residential, public, and recreational uses which do not impact the physical and biological resources of the urban conservancy environment.
 2. Allow public infrastructure projects, such as improvements to the existing wastewater treatment plant, to include the facilities necessary to support the beneficial use of treated wastewater.
 3. Maintain the urban conservancy environment by encouraging recreational activities which will not be detrimental to the shoreline character or the forces which create and maintain the shoreline area.
12. Accessory uses permitted on urban conservancy shorelines shall protect the residential character of the area. Such uses shall not generate traffic, noise or pollutants at a level greater than that generated by existing residential uses and should not detract from the aesthetic quality of the area.

This project meets the criteria of B. #1 and #2 since it is designate for public use and is utilities and access for single family residences.

The management policies under C. of this section are met since preference is given to a public use that does not impact the physical and biological resources. This section also allows public infrastructure and encourages recreational activities. The addition of the trail provides the opportunity of using this ROW for recreation. The project is not a ‘use’ and therefore does not generate its own traffic. This project with the trail addition, and native plantings to screen the lift station, does not detract from the aesthetic quality of the area.

Article VI. - Use Policies and Regulations

16.30.330 - General regulations.

B. Critical Areas.

4. Geologically Hazardous Areas.

a. Policies.

- i. Ensure that new development or the creation of new lots does not cause any foreseeable risk from geological conditions to people or improvements during the life of the development.*
- ii. Permit development in such a manner and only in locations where no slope protection (e.g. bulkheads, riprap, retaining walls, etc.) is necessary or where nonstructural protection (e.g., vegetated buffers) is sufficient for the life of the project (seventy-five (75) years)*

- iii. *Ensure that proposals are designed and constructed in a manner that does not increase or result in slope instability or sloughing.*
- iv. *Allow shoreline modifications or other measures to protect existing primary structures only when they are demonstrated to be necessary, when no alternatives including relocation or reconstruction of existing primary structures are found to be feasible, and when the modifications are found to comply with the policies and regulations of this master program for modifications as well as the requirements of WAC 173-26-231 (shoreline modification requirements). Preference should be given to those types of shoreline modifications that have a lesser impact on ecological functions. Assure that modifications individually and cumulatively will result in no net loss of ecological functions.*
- v. *Pursuant to the critical areas ordinance, surface drainage shall be directed away from marine bluffs and low impact development techniques shall be used. When no other solution is feasible, surface drainage piping may be located on the face of a steep slope when contained in a tight line (closed, nonleaking pipe) and in such a way that erosion will not be exacerbated and that physical access along the shoreline is not degraded. Furthermore, conditions may be applied to mitigate for aesthetic impacts of drainage systems as viewed from public areas. Maintenance and inspection procedures must be established*

This section includes minimizing risk due to geologic hazards to people or property for the life of the project. This section uses 75 years as the life of a project.

Staff recommends a condition be added to require an addendum report from the Geotechnical engineer that includes addressing the SMP requirement of a 75 year lifespan and a clear monitoring program with triggering mechanisms. This would be required to be reviewed and approved by the Town staff.

It is expected that physical mitigation measures may be needed if there is a future issue as determined by a geotechnical engineer.

Property Boundary Issues

The proposed project encroaches on one adjacent property in the RM-9600 zone at 605 NW Madrona Way. The Current status is that property acquisition is in process. Staff recommends a condition be added to require this issue be resolve prior to construction.

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Town of Coupeville received an application on Jan 26, 2015. The application was determined complete on this same date.
2. The project is within the area requiring to comply with the Shoreline Management Act (SMP) and is not exempt
3. A notice of application utilizing the optional DNS process was issued in accordance with the requirements of Coupeville Town Code (CTC) Section 16.06.050 on February 11, 2015 with a 30-day public comment period.

4. No written comments were received.
5. A State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on March 19, 2015 with an appeal period ending April 2, 2015.
6. The project received a Certificate of Appropriateness (COA) from the Ebey's Landing National Historical Reserve Committee on October 23, 2014 with three conditions. The COA covered the 8ftx8ft control building; a generator on a concrete pad; an Allen Block retaining wall up to 3' tall and landscaping to screen the installation; a rock retaining wall up to 3ft tall to the southeast of Vine and NW Madrona Way; and a gravel path. The three Conditions of approved are:
 - o The 8x8 building and generator shall be painted a color to recede/blend into the landscaping. The color shall be submitted and approved by the Town prior to construction.
 - o The proposed Allen wall to the SE of Madrona Way and Vine Street shall be revised to be a rockery similar to the rockery proposed to the SW of NW Madrona Way and Vine Street.
 - o The building be removed or minimize the impact of the building by reasonable means, including reducing the height.
7. A proper public notification in accordance with the requirements of CTC Section 16.06.040(B) a public hearing was provided for a Planning Commission meeting on April 7, 2015. Two people spoke with questions; one noted their support of the project.
8. The provisions of the zoning districts are not applicable to this project.
9. The project provides added public access (views), and bike and pedestrian safety
10. The drawings show 24' width and need to be conditioned to have no increase to the width as required by Ebey's Reserve and approved by WSDOT
11. A Critical Area Exception per Section 16.34.130 was provided on March 24, 2014 and approved on April 9, 2015.
12. Property acquisition for approximately 524sf of parcel R13233-322-1850 is in process and has not been completed. A condition is needed for this item to be completed
13. A Cultural Resources Report by ERCI dated January 5, 2015 was provided and included all required documentation.
14. The WSDOT archeologist made contact with DAHP and the Suquamish, Swinomish and Tulalip Tribes requesting comments
15. DAHP determined 'no adverse effect' and the Ebey's Reserve concluded the project has a De Minimis impact. An approval from WSDOT/FHWA for the De Minimis concurrence has not been received at this time. A condition can be added for this item
16. NEPA approval was provided on January 15, 2015, including the Environmental Classification Summary
17. Special studies provided included:
 - a. Biological Assessment by Widener and Associates - February 28, 2014
 - b. Reconnaissance Level Geologic Hazard Evaluation - August 26, 2009
 - c. Geologic Hazard Evaluation Update - January 26, 2015
18. Two geotechnical reports have been provided by Associated Earth Sciences Inc., dated August 26th, 2009 and January 26th, 2015 analyzing the proposed project and provided recommendations.
 - a. The 2015 report provided plan check revisions and the permit. To carry out the revisions the permit needs to be conditioned.

- b. The 2015 report provided mitigating measures that can't be carried out and therefore a revision and addition is needed to the report.
19. Per Timothy Peter of Associated Earth Sciences Inc. in a written statement dated March 24th, 2015, verifies "it is my opinion that the current proposal will not increase the risk of sliding on the bluff."
20. The project is in the SMP area designated 'Shoreline Conservancy'
21. The project, as conditioned, substantially meets the requirements of the Town Comprehensive Plan and the Town Municipal Code including the Shoreline Master Program, the Critical Areas Ordinance, Development Standards, and the Historic Preservation Guidelines.

CONDITIONS

Condition of Approval #1: The applicant shall provide legal documentation that is recorded by the County, to show the approximately 524sf of area required at 605 NW Madrona Way, is Town ROW property. This item shall be submitted to and approved by the Town prior to construction.

Condition of Approval #2: The road width shall have no increase to the existing footprint (22'-23')

Condition of Approval #3: The three Conditions of the approved COA shall be met.

- The 8x8 building and generator shall be painted a color to recede/blend into the landscaping. The color shall be submitted and approved by the Town prior to construction.
- The proposed Allen wall to the SE of NW Madrona Way and Vine Street shall be revised to be a rockery similar to the rockery proposed to the SW of NW Madrona Way and Vine Street.
- The building be removed or minimize the impact of the building by reasonable means, including reducing the height.

Condition of Approval #4: Provide approval from WSDOT/FHWA for the De Minimis Concurrence. This approval shall be received by the Town prior to construction.

Condition of Approval #5: Provide an amendment to the geotechnical report dated January 26, 2015 including and not limited to a monitoring plan with specific triggering mechanisms and process to follow. The amendment shall also include language to specifically address the Town Code Section 16.30.330.B.4.a. regarding longevity of the project. This amendment shall be provided to the Town and approved prior to construction.

Condition of Approval #6: In accordance with CTC 16.030.330(F)(9) If, during excavation or site development, any area of potential archaeological significance is uncovered, all activity in the immediate area of the site shall be stopped and the shoreline administrator notified immediately.

Condition of Approval #7: The project shall follow the construction recommendations found in the 'plan review' section of the Geotechnical report dated January 26, 2015 by Associated Earth Sciences Inc.

RECOMMENDATION

Town staff proposes the following motion:

Based on the analysis presented in the staff report, the and the Planning Commission recommendation, **I move to adopt the findings of fact and conclusions of law 1-21 and approve SSDP-012-15 with the seven conditions listed in the staff report,**



WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form^{1,2}

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.

RECEIVED

JAN 26 2015

TOWN OF COUPEVILLE



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1-Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]

Town of Coupeville - Madrona Way Improvements

Part 2-Applicant

The person and/or organization responsible for the project. [help]

2a. Name (Last, First, Middle)

Cane, Gregory R.

2b. Organization (If applicable)

Town of Coupeville (c/o Town Engineer, Gregory R. Cane, P.E.)

2c. Mailing Address (Street or PO Box)

PO Box 459

2d. City, State, Zip

Oak Harbor, WA 98277

2e. Phone (1)

(360) 279-0615

2f. Phone (2)

()

2g. Fax

(360) 679-5046

2h. E-mail

engineer@townofcoupeville.org

¹ Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

² To access an online JARPA form with [help] screens, go to http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@ora.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
Cane, Gregory R.			
3b. Organization (If applicable)			
Town of Coupeville (c/o Town Engineer, Gregory R. Cane, P.E.)			
3c. Mailing Address (Street or PO Box)			
PO Box 459			
3d. City, State, Zip			
Oak Harbor, WA 98277			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(360) 279-0615	()	(360) 679-5046	engineer@townofcoupeville.org

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant. (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners. Complete the section below and fill out JARPA Attachment A for each additional property owner.
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete JARPA Attachment E to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
()	()	()	

Part 5-Project Location(s)

Identifying information about the property or properties where the project will occur. [help]

- There are multiple project locations (e.g. linear projects). Complete the section below and use JARPA Attachment B for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]

- Private
 Federal
 Publicly owned (state, county, city, special districts like schools, ports, etc.)
 Tribal
 Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)

5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]

Madrona Way from NW Broadway St. Westerly to the Town Limits.

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]

Coupeville, WA 98239

5d. County [help]

Island

5e. Provide the section, township, and range for the project location. [help]

¼ Section	Section	Township	Range
	33	32	1E

5f. Provide the latitude and longitude of the project location. [help]

- Example: 47.03922 N lat / -122.89142 W long. (Use decimal degrees - NAD 83)

48.218431 N -122.697238 W

5g. List the tax parcel number(s) for the project location. [help]

- The local county assessor's office can provide this information.

The project is located within the Town Right-of-Way.

5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]
 See Attachment C (Enclosures E-1 and E-2) for additional adjoining property owners.

Name	Mailing Address	Tax Parcel # (if known)
Raymond L & Kaye A Marzullo 708 NW Madrona Way Coupeville, WA 98239	708 NW Madrona Way Coupeville, WA 98239	R13233-320-1350
Pickard Family LLC 508 NW Madrona Way Coupeville, WA 98239	PO Box 843 Coupeville, WA 98239	R13233-276-1160
Lori K Williamson Empty Lot	2160 Colonial Way Oak Harbor, WA 98277	R13233-267-1010
Joan H & Donald J McPherson Empty Lot	PO Box 1617 Coupeville, WA 98239	R13233-286-1670

5i. List all wetlands on or adjacent to the project location. [help]

No wetlands within the project area. (See E-3)

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]

Puget Sound/Penn Cove

5k. Is any part of the project area within a 100-year floodplain? [help]

Yes No Don't know See E-4

5l. Briefly describe the vegetation and habitat conditions on the property. [help]

The vegetation within the majority of the Madrona Way project site consists of mainly of Madrona Trees, Nootka Rose and grasses. There is a paved road and gravel road shoulders in the right-of-way. The remaining portions of the site is comprised of residential lots, where the vegetation consists of lawns and/or landscaping.

5m. Describe how the property is currently used. [help]

Town Right-of-Way with Paved Road and Utilities.

5n. Describe how the adjacent properties are currently used. [help]

The adjacent properties are individual homes and empty lots.

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]

The property is a right-of-way and contains: paved roads, water mains and services, sewer mains and services, power poles, communication lines, road signs, mailboxes, ditches, culverts, gravel driveways, etc.

5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]

From SR 20, turn north onto Sherman Road. Turn right at Madrona Way. Project location is on Madrona Way from the Town Limits to NW Broadway Street. See E-5.

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]

Existing roadway is two way road with 11 ft lanes. The paved road surface is severely deteriorated. For most of this 0.33 mile road section there are no shoulders; pedestrians walk on the roadway in these areas. Stormwater runoff is contained in a ditch on the south side of the road.

6b. Describe the purpose of the project and why you want or need to perform it. [help]

Proposed project will repave the road, construct a crushed rock walkway along one side of the road and install bioswales for stormwater treatment.

6c. Indicate the project category. (Check all that apply) [help]

- Commercial Residential Institutional Transportation Recreational
 Maintenance Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [help]

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Aquaculture | <input checked="" type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Retaining Wall (upland) |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Floating Home | <input checked="" type="checkbox"/> Road |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch | <input checked="" type="checkbox"/> Ditch | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Marina / Moorage | <input checked="" type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Outfall Structure | <input checked="" type="checkbox"/> Utility Line |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Piling/Dolphin | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | <input type="checkbox"/> Raft | |
- Other: Water Main, Sewer Main, Sewer Lift Station, Storm Drain and Pedestrian Path

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [help]

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

Construction will occur as reflected in the Utility Plans (Enclosures E-6 to E-10) and the Road Plans (E-11 to E-20). Equipment may include, but not be limited to: Excavator, Loader, Dump Truck, Horizontal Directional Drilling Machine, Vector Truck, and Water Truck.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [help]

- If the project will be constructed in phases or stages, use JARPA Attachment D to list the start and end dates of each phase or stage.

Start date: April 2015 End date: October 2015

See JARPA Attachment D (E-21)

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]

Approx. \$1.6M

6h. Will any portion of the project receive federal funding? [help]

- If yes, list each agency providing funds.

Yes No Don't know

DWSRF #DM13-952-127 \$180,285
WSDOT #STPR-0150 (002) \$633,831
USDA (in Application Process)

Part 7--Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.) [help]

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]

Not applicable

7b. Will the project impact wetlands? [help]

Yes No Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

- Yes No Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If Yes, submit the report, including data sheets, with the JARPA package.

- Yes No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

- Yes No Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

- Yes No Not applicable

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³ Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [help]

7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [help]

Part 8--Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [help]

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [help]

Not applicable

Project is within 200 feet of Penn Cove. No work will be performed in, or directly adjacent to, Penn Cove.

8b. Will your project impact a waterbody or the area around a waterbody? [help]

Yes No The nearest construction activity will be 100 ft from the ordinary high water mark.

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 8d.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Not applicable

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

As is possible within the narrow footprint of the work area, stormwater treatment in the form of bioswales will be constructed as a part of this project. These are depicted in the road plans (E-11 to E-20). TESC plans are likewise included therein.

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
None - Construction is Adjacent to Waterbody					

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.
² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.
³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

&

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact
See E-22		()	
		()	
		()	

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

Yes No

2012 Listing for Bacteria, Dissolved Oxygen and Ammonia-N

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

17110019

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

WRIA #6

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> for the standards.

Yes No Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html

Rural Urban Natural Aquatic Conservancy Other Shoreline Residential

9g. What is the Washington Department of Natural Resources Water Type? [help]

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System.

Shoreline Fish Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]

- If No, provide the name of the manual your project is designed to meet.

Yes No

Name of manual: August 2012 WSDOE Stormwater Management Manual for Western Washington

9i. Does the project site have known contaminated sediment? [help]

- If Yes, please describe below.

Yes No

9j. If you know what the property was used for in the past, describe below. [help]

Road and Right-of-Way

9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]

- If Yes, attach it to your JARPA package.

Yes No See Cultural Resources Report (Enclosures E-23 to E-127)

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [help]

None. See Biological Assessment (Enclosures E-128 to E-138).

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [help]

None. See Biological Assessment (Enclosures E-128 to E-138).

Part 10—SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@ora.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with Town of Coupeville (lead agency). The expected decision date is Feb. 15, 2015.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

Other: _____

SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [help]

LOCAL GOVERNMENT

Local Government Shoreline permits:

Substantial Development Conditional Use Variance

Shoreline Exemption Type (explain): _____

Other City/County permits:

Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

Hydraulic Project Approval (HPA) Fish Habitat Enhancement Exemption – Attach Exemption Form

Effective July 10, 2012, you must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. **Do not send cash.**

Check the appropriate boxes:

\$150 check enclosed. Check # _____
Attach check made payable to Washington Department of Fish and Wildlife.

My project is exempt from the application fee. (Check appropriate exemption) _____

HPA processing is conducted by applicant-funded WDFW staff.
Agreement # _____

Mineral prospecting and mining.

Project occurs on farm and agricultural land.

(Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)

Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.
HPA # _____

Washington Department of Natural Resources:

Aquatic Use Authorization

Complete JARPA Attachment E and submit a check for \$25 payable to the Washington Department of Natural Resources.

Do not send cash.

Washington Department of Ecology:

Section 401 Water Quality Certification

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

Section 404 (discharges into waters of the U.S.)

Section 10 (work in navigable waters)

United States Coast Guard permits:

Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application: _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. GR (initial)

GREGORY R. CAINE
Applicant Printed Name

Greg R. Caine
Applicant Signature

1/23/15
Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

Authorized Agent Printed Name

Authorized Agent Signature

Date

11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements.

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Property Owner Printed Name

Property Owner Signature

Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ENV-019-09 rev. 08/2013

From Island County
Critical Areas Mapping -
Wetlands Layer



No Mapped Wetlands
Inside Town Limits
Within Project Area

No Mapped Wetlands
Outside Town Limits
Within Project Area

Wetland Area (Typical)

All Others

Part 1 - Project Description			
Federal Aid Project Number STPR-L150 (002)	Route N/A	Date September 8, 2014	Intent of Submittal <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Re-Evaluate
Agency Town of Coupeville		Federal Program Title <input checked="" type="checkbox"/> 20.205 <input type="checkbox"/> Other	
Project Title Madrona Way Improvements			
Beginning MP <u>N/A</u>	Ending MP <u>N/A</u>	Township(s) <u>32 North</u>	Range(s) <u>1 East, WM</u>
Miles <u>0.33 Miles</u>		Section(s) <u>33</u>	
County Island			
Project Description (Describe the proposed project, including the purpose and need for the project) Existing roadway is two way road with 11 ft lanes. The paved road surface is severely deteriorated. For most of this 0.33 mile road section there are no shoulders; Pedestrians walk on the roadway in these areas. Stormwater runoff is contained in a ditch on the south side of the road. The project will reconstruct and repave a portion of Madrona Way, construct a crushed rock walkway along one side of the road, and install bioswales for stormwater treatment.			

Part 2 - Environmental Classification	
<p style="text-align: center;">NEPA</p> <input type="checkbox"/> Class I - Environmental Impact Statement (EIS) <input checked="" type="checkbox"/> Class II - Categorical Excluded (CE) CE Type (from 23 CFR 771.117) <u>C-23</u> <input type="checkbox"/> Projects Requiring Documentation (Documented CE) (LAG 24.22) <input type="checkbox"/> Programmatic CE MOU <input type="checkbox"/> Class III - Environmental Assessment (EA)	<p style="text-align: center;">SEPA</p> <input type="checkbox"/> Categoricaly exempt per WAC 197-11-800 <input type="checkbox"/> Determination of Non-Significance (DNS) <input type="checkbox"/> Environmental Impact Statement (EIS) <input type="checkbox"/> Adoption <input type="checkbox"/> Addendum <input type="checkbox"/> Supplemental (For information purpose only)

NEPA Approval Signatures

Gregory R. Cane
Local Agency Approving Authority

9/8/14
Date

[Signature]
Regional Local Programs Engineer

9/15/14
Date

[Signature]
Local Programs Environmental Engineer

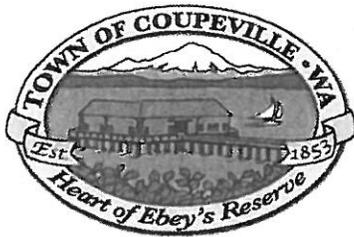
1-15-15
Date

C-List - C-23
Federal Highway Administration

1-15-15
Date

RECEIVED
9/10/22/15

Completed By (Print Official's Name) Gregory R. Cane, P.E.	Telephone (include area code) (360)279-0615	Email Address engineer@townofcoupeville.org
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Town of Coupeville

4 NE Seventh ▪ PO Box 725 ▪ Coupeville WA 98239
360.678.4461 ▪ 360.678.3299 Fax ▪ www.townofcoupeville.org

TOWN OF COUPEVILLE – STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: Proposal: The project includes replacing water and sewer mains, and adding a storm drain. A lift station will be added at the intersection of Madrona Way and Vine St. A crushed rock pedestrian path and bio-swale will be added to the South (opposite of water side) of Madrona Way. The road is proposed to be repaved.

Details of the proposals are available upon request and are reviewable at Town Hall - 4 NE Seventh, Coupeville

Proponent: Town of Coupeville/Greg Cane, PE, Town Engineer

Location of proposal: Madrona Way from NW Broadway St., westerly to the Town Limits

Lead Agency: Town of Coupeville, WA

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C030 (2) (c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

X This DNS is issued under 197-11-355 utilizing the optional DNS process. The 30-day public comment period expired on March 12, 2015. An appeal of this Threshold Determination must be submitted by April 2, 2015 to the address below.

While the Town of Coupeville has the authority to mitigate impacts pursuant to the town's SEPA practices, existing town development and environmental regulations are adequate to achieve sufficient mitigation for the proposal's environmental impacts.

Preliminary determination of the development and environmental regulations that will be used for project mitigation and consistency are: The Official Town of Coupeville Development Regulations including the Ebey's National Historical Reserve Design Guidelines, zoning regulations, critical area regulations and the town's shoreline master program.

If mitigation beyond existing development regulations is required, the specific adverse environmental impacts and the reasons why additional mitigation is needed shall comply with SEPA.

Additional mitigation can be applied to a proposal with the use of SEPA substantive authority, based on identified potential adverse impacts related to the proposal and the agencies adopted SEPA procedures.

Responsible Official: Bridget Smith

Position: Town Planner

Address: PO Box 725, Coupeville, WA 98239

Date: March 19, 2015

Signature: 

Bridget Smith – Town Planner



Trust Board Members

Lisa Meserole, Chair

Jan-Pickard, Vice Chair

Al Sherman, Treasurer

Molly Hughes, Secretary

Fran Einterz

Hank Florence

Wilbur Bishop

Eric Watilo

Kristen Griffin,
Reserve Manager

Trust Board Partners

National Park Service

Washington State Parks

Island County

Town of Coupeville

February 23, 2015

Mayor Nancy Conard
Town of Coupeville
P.O. Box 725
Coupeville, WA 98239

RE: Madrona Way Improvement Project, 4(f) Process - *de minimus* Concurrence

Dear Mayor Conard:

On behalf of the Trust Board of Ebey's Landing National Historical Reserve, I have had opportunity to review and provide input on the Madrona Way Improvement Project. I appreciate the Town of Coupeville's early invitation to consult on this project, and the Town's care and responsiveness in addressing concerns for aspects of the project that had the potential to affect historically significant resources in the project area.

As currently proposed, the project has been reviewed and approved by the Historic Preservation Commission (10/23/2014), and received a finding of No Adverse Effect by the state Department of Archaeology and Historic Preservation (1/14/2015). In addition, the project benefits the Reserve by enhancing safety and improving pedestrian access to the historic Madrona Way roadway (a contributing element in the Central Whidbey Historic District).

Therefore, the Reserve supports this project and concurs that it will have a *de minimus* impact on the significant historic resources of the Reserve.

If the scope of the project changes unexpectedly, or if unanticipated historic resources or human remains are encountered, I request that any review procedures required by Ebey's Reserve, the project funding agencies, and the state Department of Archaeology and Historic Preservation be followed.

Sincerely,

A handwritten signature in cursive script that reads "Kristen Griffin".

Kristen Griffin
Reserve Manager
Trust Board of Ebey's Landing NHR

Post Office Box 774
Coupeville, WA 98239
Phone (360) 678-6084
Fax (360) 678-7490

cc: Roy Zipp, Acting Operations Mgr., Ebey's Landing NHR
file



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

January 14, 2015

Mr. Trent de Boer
WSDOT, Local Programs
PO Box 47390
Olympia, WA 98504-7390

Hwys & Local Programs

JAN 15 2015

Olympia, WA

In future correspondence please refer to:

Log: 032912-07-FHWA

Property: Madrona Way Improvements, Fed Aid STPR-L150(002)

Re: No Adverse Effect

Dear Mr. de Boer:

Thank you for contacting the Washington State Department of Archaeology and Historic Preservation (DAHP). Through consultation with the cultural resources contractor associated with this project, information has been submitted and evaluated regarding a number of historic structures that had been identified within the projects area of potential effect (APE). This information has been reviewed on behalf of the State Historic Preservation Officer under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800. My review is based upon documentation contained in your communication.

First, based on the revisions made to the overall project and with the understanding that none of the work to be performed will affect any cultural or historic resources that may fall within the APE, DAHP concurs with your determination that the project will have no adverse effect on cultural resources as a result of the undertaking. Regarding the National Register of Historic Places (NRHP) eligibility of ten properties that were originally identified within the APE, our recommendations are as follows:

- Since three of the originally identified structures (601, 604, and 708 NW Madrona Way) are not yet fifty years of age, they are not considered historic resources and do not warrant NRHP evaluation at this time.
- We concur that the property at 605 NW Madrona Way is eligible for listing in the NRHP.
- The remaining six structures (502, 508, 701, 707, 708, and 709 NW Madrona Way) are not individually eligible for listing in the NRHP.

If additional information on the project becomes available, or if any archaeological resources are uncovered during construction, please halt work in the area of discovery and contact the appropriate Native American Tribes and DAHP for further consultation.

Thank you for the opportunity to review and comment. If you have any questions, please contact me.

Sincerely,

Matthew Sterner, M.A.
Transportation Archaeologist
(360) 586-3082
matthew.sterner@dahp.wa.gov





RESOLUTION NO. 15-03

A RESOLUTION of the Town Council of the Town of Coupeville, Island County, Washington; regarding the impacts of the Madrona Way Improvement Project.

WHEREAS, the Town of Coupeville has received approximately \$630,000 in federal funding for pavement rehabilitation, stormwater improvements and pedestrian path during this 2015 construction season; and

WHEREAS, the project area includes Madrona Way from its intersection with Broadway Ave. NW, westerly to the Town limits; and

WHEREAS, the Town of Coupeville is located within Ebey's Landing National Historical Reserve, a unit of the National Park System; and

WHEREAS, Section 4(f) of the Department of Transportation Act of 1966 (49 USC Section 303) prohibits the Federal Highway Administration (FHWA) from approving a project or program that uses land from a significant public park, recreation area, wildlife or waterfowl refuge, or historic site unless:

- There is no feasible and prudent avoidance alternative to the use of the land; and
- The project includes all possible planning to minimize harm to the property; or
- The project will not have more than a "de minimis impact" on the property; and

WHEREAS, in fulfillment of NEPA requirements, the Town Council must find that the project will not have more than a "de minimis impact" on public park, recreation area, wildlife or waterfowl refuge, or historic sites; and

WHEREAS, by a letter dated February 23, 2015, the Ebey's Landing National Historical Reserve Manager advised the Town that the project would have minimal impacts; and

WHEREAS, at their Regular Town Council meeting held February 24, 2015 the Town Council reviewed the project's potential impact on 4(f) resources in open public session;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Coupeville, Washington that:

After due and proper consideration, the Town Council finds that the impact of the 2015 Madrona Way Improvements has a *de minimus* impact on 4(f) resources within the Town of Coupeville.

PASSED by the Town Council of the Town of Coupeville and **APPROVED** by the Mayor this 24 day of February, 2015.

TOWN OF COUPEVILLE

By Nancy Conard
Nancy Conard, Mayor

ATTEST:

By Kelly Beech
Kelly Beech, Clerk-Treasurer



STAFF REPORT

Permit #: SSDP-012-15 exception

DATE: April 7, 2015
TO: Planning Commission
FROM: Bridget Smith, Town Planner
SUBJECT: CTC Section 16.24.130 Exception Request for construction in a Critical Area for SSDP-012-15
APPLICANT: Town of Coupeville
ADDRESS: NW Madrona Way from NW Broadway St., westerly to the Town limits + 524sf of R13233-322-1850
ZONING: Road and Utilities
ATTACHMENTS: Exception Request with supporting documents

PROPOSAL:

In order to replace aging infrastructure, the Town of Coupeville is proposing to construct the following utility and road improvements along NW Madrona Way from the intersection of Broadway Avenue, westerly to the town limits. Improvements include:

- Water and sanitary sewer mains;
- A sanitary sewer lift station at the southeast corner of the intersection of Vine Street and NW Madrona Way including an 8'x8' control building, generator on a concrete pad, a below-ground pump system, and landscaping to screen the installation;
- A 4 foot wide crushed rock path with occasional 5 foot wide sections to meet barrier free requirements;
- Two sections of retaining wall (maximum 3 foot high). One wall will be constructed southerly of the proposed lift station; the other wall will be at the southwest corner of the intersection of Vine Street and NW Madrona Way;
- A storm water system including a bio-filtration swales along the southerly roadway edge;
- Reconstruction of the road surface and subgrade

CURRENT STATUS

The Town of Coupeville received an Exception Request Per the Coupeville Town Code (CTC) Section 16.34.130 on March 24, 2015. The application was determined complete on this same date.

The Town Planner reviewed the submitted documentation for substantial compliance with Section 16.34.130.D and recommends approval with one condition.

Per CTC Section 16.34.130.C, a public hearing pursuant to Section 16.06.040 was provided on April 7, 2015.

ANALYSIS:

The proposed project is a public utility and road project within a critical area designated as an unstable slope. The project does not comply with Section 16.34.510 performance standards regarding for geological hazards. This Section requires a minimum buffer to a Landslide Hazard Area of 50'. This buffer can be reduced to 10' per Section 16.34.510.B.2 when a qualified professional demonstrates to the town planners satisfaction that the reduction will adequately protect the propose development, adjacent developments, and uses and the subject critical area. The distance from the road paving to the landslide hazard is as close as 8' per the drawings submitted by the Town Engineer in the Shoreline Substantial Permit SSDP-012-15 documentation and information provided by the Geotechnical Engineer for this permit application.

The project is upgrading an existing road and infrastructure with no expansion of the road footprint. The design considers the hazard to the unstable slope and improves the ecological function which may improve the slope stability.

In the CTC Critical Areas Ordinance:

CTC Section 16.34.010 Purpose

F. (underlining added) This Chapter is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this chapter to make a parcel of property unusable by denying its owner reasonable economic use of the property or to prevent the provision of public facilities and services necessary to support existing development and planned for by the community without decreasing current service levels below minimum standards.

Section 16.34.130 - Exception—Public agency and utility.

- A. If the application of this chapter would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this section.*
- B. Exception Request and Review Process. An application for a public agency and utility exception shall be made to the Town and shall include a critical area identification form; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW, as it now exists or may be hereinafter amended). The town planner shall issue a decision based on review of the submitted information, a site inspection, and the proposal's ability to comply with public agency and utility exception review criteria in Subsection D.*
- C. Town Planner Review. The town planner shall review the application and town planner's recommendation, and conduct a public hearing pursuant to the provisions of CTC 16.06.040. The town planner shall approve, approve with conditions, or deny the*

request based on the proposal's ability to comply with all of the reasonable use exception review criteria in Subsection D.

D. Public Agency and Utility Review Criteria. The criteria for review and approval of public agency and utility exceptions follow:

- 1. There is no other practical alternative to the proposed development with less impact on the critical areas;*
- 2. The application of this chapter would unreasonably restrict the ability to provide utility services to the public;*
- 3. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;*
- 4. The proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science; and*
- 5. The proposal is consistent with other applicable regulations and standards.*

E. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

The applicant provided documents equivalent to a critical area report, permit applications to other agencies, special studies, and environmental documents.

Applications/approvals to other agencies provided include:

- NEPA approval January 15, 2015, including the Environmental Classification Summary
- DAHP – Determination of ‘no adverse effect’ – January 14, 2015
- De Minimis Concurrence – approval February 23, 2015 from Ebey’s Landing Reserve. The process is currently under review at WSDOT/FHWA.
- Ebey’s Landing National Historic Reserve, Certificate of Appropriateness, approval October 23, 2014

Special studies provided include:

- Biological Assessment
- Reconnaissance Level Geologic Hazard Evaluation - August 26, 2009
- Geologic Hazard Evaluation Update - January 26, 2015

Responses to the criteria in subsection D.:

- 1. There is no other practical alternative to the proposed development with less impact on the critical areas;* The Washington State Transportation Improvement Board recommended complete roadway construction for a successful outcome and the utilities are currently among the most deficient in Town. Relocation of portions of the roadway to the south was considered but costs, including the need for right-of-way acquisition, would make the project impractical;
- 2. The application of this chapter would unreasonably restrict the ability to provide utility services to the public;* without the construction of the proposed utility improvements, the water and sewer mains in this area will eventually fail completely. In time, the failure of these utilities, most notably the water main, will result in large leaks and pipeline rupture. Water main failures in the vicinity of steep slopes are a common cause of bank and bluff slides.

3. *The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site; standard methods of construction, maintenance and repair are proposed for this project. The slope instability is addressed by the Geotechnical engineer. The Geotech engineer, Timothy Peter, L.E.G. of Associated Earth Sciences provided written information on March 24, 2015 that "it is my opinion that the current proposal will not increase the risk of sliding on the bluff". Additional information regarding bluff stability follows this section*
4. *The proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science. A 2009 report by Associate Earth Sciences Inc. noted that the installation of the utilities presented a 'low risk' to the stability of the bluff. Specific construction methods and recommendations were made in this report including avoiding disturbing trees and vegetation and no stockpiling of materials on the bluff, limiting construction to the dry season, not allowing concentrated runoff to be discharged on or above the bluff. The report provides processes to follow if the recommendations are not met. A process is also recommended if ground water is encountered.*

A report by Associated Earth Sciences Inc. dated January 26, 2015 provided conceptual recommendations for mitigation including placing traffic barriers, erosion control practices at the toe of the bluff, use of retaining walls and moving the road. The options provided are not available for implementation. The Town recommends an amendment be required to the engineering report for mitigating measures including and not limited to monitoring including specific triggering mechanisms and process to follow. Staff recommends this be made a condition of the permit SSDP-012-15.

5. *The proposal is consistent with other applicable regulations and standards. The project engineer will be required to follow all Best Management Practices (BMP's) and a Temporary Erosion Control Plan (TESC) has been provided.*

PROPOSED FINDINGS OF FACT/CONCLUSIONS OF LAW:

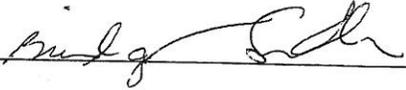
1. The Town of Coupeville received an application from Gregory Cane, P.E. Town Engineer on March 24th, 2014 and it was determined complete on this same date;
2. The planner reviewed the application made a recommendation of approval;
3. The proposal substantially complies with the criterial in CTC Section 16.34.130.D
4. Per CTC Section 16.06.040(B) a public hearing was held on April 7, 2015;

RECOMMENDED CONDITIONS:

- Provide an amendment to the geotechnical report dated January 26, 2015 including and not limited to a monitoring plan with specific triggering mechanisms and process to follow. The amendment shall also include language to specifically address the Town Code Section 16.30.330.B.4.a. regarding longevity of the project. This amendment shall be provided to the Town and approved prior to construction.

TOWN STAFF DECISION:

Based upon the staff report, recommendation and public hearing comments, the Town Planner adopts the Findings of Fact/conclusions of Law 1-4 and approves the Exception Request for SSDP-012-15.



Town Planner

APRIL 7, 2015

Date



STAFF REPORT

Permit #: CUP-008-15

DATE: April 14, 2015

TO: Members of the Town Council

FROM: Bridget Smith, Town Planner

SUBJECT: Conditional Use Permit, CUP-008-15, for operating a B & B Inn

APPLICANT: Ralph McCloud & Eleanor Weston

ADDRESS: 5 NE 9th Street, Coupeville, WA 98239

ZONING: RM-9600 Medium Density Residential

COMP. PLAN: MDR- Medium Density Residential

ATTACHMENTS: Application, submittal materials, inventory of historic structures

PROPOSAL:

The application is for a change of use, adding a B&B Inn to a single family residence. The project is located at 5 NE 9th Street. The proposed B&B Inn is for 2 rooms with no employees. There is no change to the building or site. The building is a historic building.

CURRENT STATUS:

The house is a historic building, built in 1889. In 1995 there was an addition to the South façade and the garage was enlarged, according to the inventory included in this report.

This building was used as the Methodist Parsonage from 1889, when it was constructed, until 1955. The inventory also states that the house was owned by the Lovejoy family and was rented. The last use was as a single family dwelling.

The application materials requesting a Conditional Use Permit were submitted on January 14, 2015. In accordance with Coupeville Town Code (CTC) Section 6.06.030(F), a Notice of Application was sent to neighboring property owners and agencies with jurisdiction. A notice of the Planning Commission public hearing was published on February 19th, 2014 consistent with CTC Section 16.06.040.B.

In accordance with CTC Section 16.06.050(D)(2)(h), the Planning Commission is to conduct a pre-

decision public hearing on the proposal and forward their recommendations and findings of fact to the Town Council. The Planning Commission met March 3, 2015 and had a recommendation of approval without conditions.

There are no changes proposed to require a Certificate of Appropriateness (COA) permit process or a building permit.

There is no sign proposed at this time.

A Certificate of Occupancy has not been applied for at this time, but is required to operate a B & B Inn per Section 16.10.080.B.1.

ANALYSIS:

B & B Inns are listed as 'conditional uses' within the RM-9600 Medium Density Residential zoning district requiring a Conditional Use Permit (CUP). Per CTC Section 16.14.030 conditions can be assigned to otherwise permitted uses. The intent of adding conditions are to mitigate potential adverse impacts on a neighborhood or the community. Conditional uses include those land uses which are basically desirable to the community, but which may not be appropriate or compatible with all locations within a given district without additional restrictions or conditions. These conditions are intended to uphold the spirit and intent of the zoning ordinance, comprehensive plan and the harmony and beneficial use of neighboring land uses.



Area Map

The proposed B& Inn is to the east of the Anchorage Inn, zoned Town Commercial. Across the street to the east and to the north are single family dwellings. Across the street to the south is open space and then Town Hall. Downtown Coupeville is just two blocks away. The building has been used as a

parsonage and has been rented in the past. The current proposed use has less impact from traffic and noise than past uses. Codes have changed since these past uses and the current standards shall apply and the code language is included in this report.



The proposed B & B Inn as seen from 9th Street looking southwest

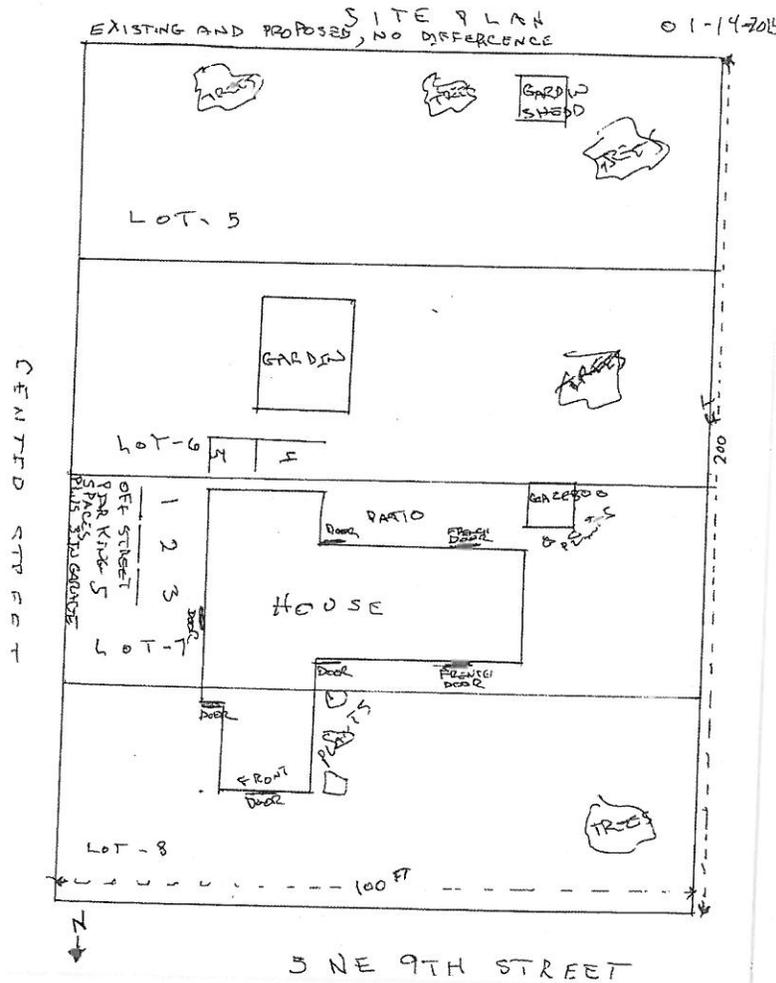
16.10.080 - Transient accommodation.

This section provides supplemental standards for locating hotels, motels, bed and breakfast inns or guest houses in those zoning districts where these uses are permitted as principal or conditional uses. "Transient accommodation" is defined as the rental of any building or portion thereof for the purpose of providing lodging for compensation for periods of thirty (30) days or less.

B. Bed and Breakfast Inns. Bed and breakfast inns are principal uses in the high-density residential district (RH) and all commercial zoning districts (HLC, TC and GC) and conditional uses within all single-family residential zoning districts (RR, LDR and RM-9600). The following supplemental standards shall apply:

- 1. Each bed and breakfast inn shall have an approved certificate of occupancy issued by the Town of Coupeville.*
- 2. The owner/manager of the bed and breakfast inn shall reside at the inn when it is open for business.*
- 3. The number of guest rooms shall be limited to no more than two in the LDR, RM-9600 and RH zoning districts, and to no more than six in the RR zoning district, and to no more than eight in the HLC, TC and GC zoning districts.*
- 4. Guest rooms at bed and breakfast inns shall be devoid of cooking facilities.*

5. In addition to the parking requirements for single-family residences, one off-street parking space shall be required for each guest room and full-time equivalent employee not resident at the inn. Parking for guests or nonresident employees is not permitted in the public right-of-way.
6. In residential zones, onsite meals and beverages may be served to room guests and their guests only.
7. One sign per bed and breakfast inn is permitted, subject to the commercial sign requirements elsewhere in this title.
8. Accessory uses, buildings and structures associated with the bed and breakfast inns located in the RM-9600, LDR and RR zoning districts shall be limited to those found customarily at single-family residences.

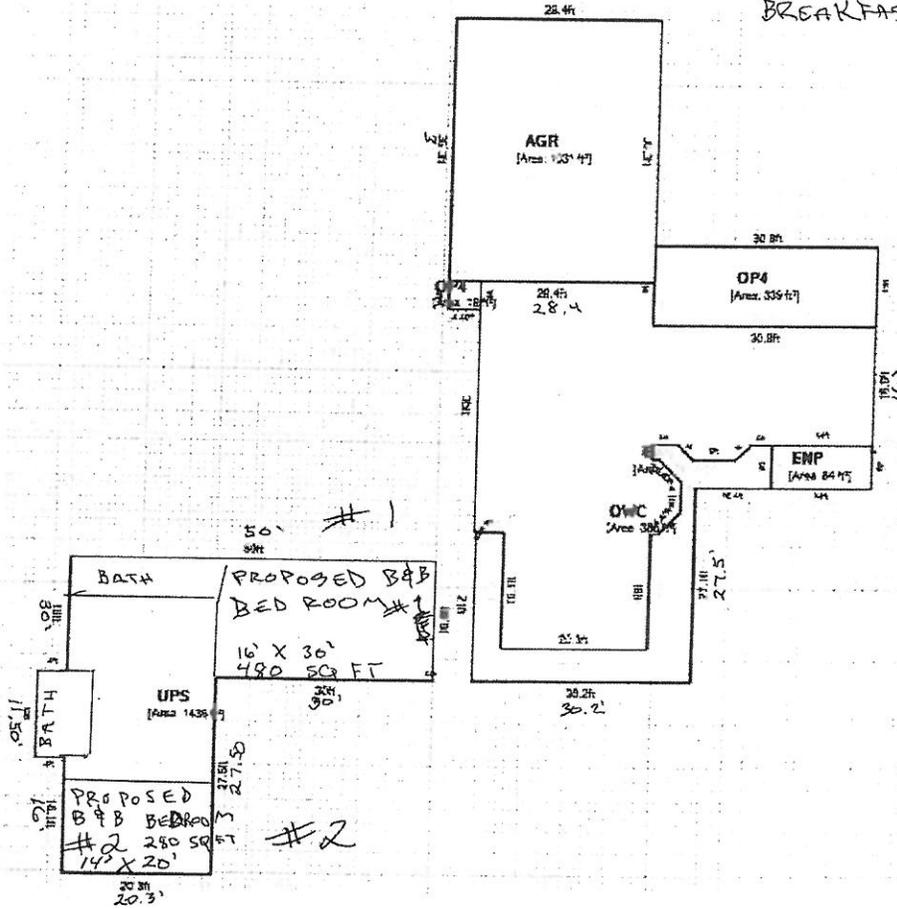


Site plan showing parking, not including three spaces in the garage

The proposed B & B Inn is currently a single family dwelling with an attached garage. The owners are intending to have potentially four people stay at one time using two existing bedrooms (2 room B&B Inn). There are five off street parking spaces available plus three spaces in the existing garage. Two spaces are required to be maintained for the single family dwelling per Section 16.12.070.C.1. The B&B Inn has two rooms and there are no employee's proposed, so two spaces are required for the B&B Inn totaling four off street parking spaces required. The existing parking provided meets the requirement. The entrance for guests would be the same entrance as used by the property owners. There are no changes proposed to the site or building for this proposed change of use.

DESCRIPTION	QTY	UNIT	AMOUNT	TOTAL	
OWC	OPEN WOOD PORCH W/STEPS/ROOF/C	5	0	1889	1430.0
ENP	ENCLOSED PORCH	5	0	1889	385.0
oOWR	WDD/ROOF	5	0	1889	84.0
				1889	0.0

ch PROPOSED UPSTAIRS 2-BED ROOMS FOR BED & BREAKFAST



Property Image 5 NE 9th STREET COPEVILLE WA 982
 property contains TIFF images. Click on the button(s) to download the full image (which may contain multiple
 ss).

Proposed B & B Inn floor plan (2nd floor)

The two bedrooms that would be rented are on the second floor. Both bedrooms have the use of their own separate bathrooms. The space used for the B&B Inn is devoid of cooking facilities and the owners are intending to serve a breakfast to guests.

The use of 'transient occupancy' may have a higher traffic than the existing residence of two adults, however having only two of the three existing second floor bedrooms potentially occupied at one time, the increase is minimal and no more than what may be typically found in a home of this size used by a large family in a residential neighborhood. The owners will be present when the rooms are rented. The proposed use is reasonable for the location and scale of the existing site and building. Town staff feel no mitigation is necessary for the proposed change of use.

Code Language:

A Conditional Use is defined as” “*a use permitted in one or more zones but which, because of characteristics peculiar to such use or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone or zones. A conditional use is a form of special exception*”.

Public Comment: As of the date of this staff report no comments or objections have been received.

Required Findings: In order to grant a conditional use permit, the Town must make findings as noted below. Following each required finding is a brief analysis of how the current proposal meets or does not meet these standards.

CTC Section 16.14.030 C.

- 1. The proposed use, at the proposed location, is consistent with the purposes of the Development Regulations and zoning district in which it is to be located, and that the proposed use will meet all the applicable requirements of the development regulations.***

The Medium Density zoning district is intended to provide “*a stable environment for residential development, with adequate public services to serve residential development and prohibit uses that would violate the single-family nature of the neighborhood.*” The use proposed in this application is in an existing single family dwelling. Since no new construction is proposed many of the Town’s development regulations such as setback, height and lot coverage are not applicable to this proposal. The one standard that does apply is off street parking. The B & B Inn is required to provide two off-street parking spaces. As a result a total of four off street parking spaces are required. Compliant parking is provided and shown in the plan.

- 2. The proposed use, at the proposed location, will not be significantly detrimental to the public health safety and welfare, will not substantially harm or diminish the value of nearby property or improvements, and will not materially disturb the owners of nearby properties in the reasonable use of these properties.***

The primary neighboring uses are single family residential to the east and north with town commercial to the west and south. Adjacent to the property is the Anchorage Inn. The proposal is to rent 2 guest rooms in a large home normally occupied by two adults. Nearby residential uses should not be harmed or diminished as a result of having a B & B Inn on the subject site as it has no greater effect for this size of a residence than a large family and it maintains the residential character of the neighborhood.

3. *The proposed use will generally be in harmony with the comprehensive plan.*

The Comprehensive Plan supports development consistent with existing neighborhood character and in scale with surrounding uses. The proposed use of this site should meet this broad goal. The proposed use will occur in an existing single family residence and the proposed activity will be of a residential nature. There is no change to the site or building for this change of use. Except for the allowance for one small sign, which has not yet been requested, the overall appearance and use characteristics will be consistent with the existing neighborhood character.

In general, staff finds that the proposed use at the proposed location can meet the three required findings for issuance of a conditional use permit, with the application of our Town regulations with no conditions.

PROPOSED FINDINGS OF FACT/CONCLUSIONS OF LAW:

1. The Town of Coupeville received an application from Ralph McCloud & Eleanor Weston on January 14, 2015 to operate a B & B Inn in a RM-9600 zone at 5 NE 9th Street, in the Town of Coupeville.
2. The RM-9600 Medium Density Residential zone district list B&B Inns as conditional uses. Issuance of conditional use permits is governed by CTC 16.14.030, and such permits are employed to assign conditions to otherwise permitted uses, which mitigate potential adverse impacts on a neighborhood or community.
3. A notice of the Planning Commission public hearing was published consistent with CTC Section 16.06.040.B.
4. The Town issued a Notice of Application per CTC Section 16.06.030(F).
5. The Planning Commission held a predecision public hearing on the proposal at a meeting on March 3, 2015.
6. The Planning Commission finds the proposal meets the requirements of CTC 16.14.030.C. and recommends approval of CUP-008-15 with no conditions

RECOMMENDED CONDITIONS:

1. No Conditions

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, having no comments at the public hearing, and findings of fact and conclusions of law one through six, I move to approve of the Conditional Use Permit CUP-008-15, with no Conditions and adopt Resolution No. 15-04.

RESOLUTION NO. 15-04

A RESOLUTION OF THE TOWN OF COUPEVILLE, ISLAND COUNTY, WASHINGTON, RELATING TO THE APPLICATION OF CUP-008-15 FOR A CONDITIONAL USE PERMIT TO CONDUCT A B & B INN AT A PROPERTY LOCATED AT 5 NE 9th STREET, COUPEVILLE, WA.

WHEREAS, Ralph McCloud & Eleanor Weston submitted a complete application on January 14, 2015 for a Conditional Use Permit to operate a B&B Inn at 5 NE 9th, within the Town of Coupeville;

WHEREAS, the application came before the Planning Commission to conduct an open record hearing on March 3, 2015;

WHEREAS, the Planning Commission adopted findings of fact and conclusions of law, and by motion in its minutes, recommended to the Town Council to grant the application with no conditions;

WHEREAS, the Planning Commission recommendation came before the Town Council for consideration on April 14, 2015 as if a closed record hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF COUPEVILLE, ISLAND COUNTY, WASHINGTON, AS FOLLOWS:

Section 1. The Town Council hereby adopts the following findings of fact and conclusions of law and recommendation of the planning commission as the findings of fact and conclusions of law of the Town Council.

Section 2. Ralph McCloud & Eleanor Weston is hereby granted a conditional use permit to operate a B&B Inn at 5 NE 9th Street on the terms and conditions set out in the findings of fact, conclusions of law and recommendation of the Planning Commission:

FINDINGS OF FACT/CONCLUSIONS OF LAW:

1. The Town of Coupeville received an application from Ralph McCloud & Eleanor Weston on January 14, 2015 to operate a B & B Inn in a RM-9600 zone at 5 NE 9th Street, in the Town of Coupeville.
2. The RM-9600 Medium Density Residential zone district list B&B Inns as conditional uses. Issuance of conditional use permits is governed by CTC 16.14.030, and such permits are employed to assign conditions to otherwise permitted uses, which mitigate potential adverse impacts on a neighborhood or community.
3. A notice of the Planning Commission public hearing was published consistent with CTC Section 16.06.040.B.
4. The Town issued a Notice of Application per CTC Section 16.06.030(F).

5. The Planning Commission held a pre-decision public hearing on the proposal at a meeting on March 3, 2015.
6. The Planning Commission found the proposal met the requirements of CTC 16.14.030.C. and recommended approval of CUP-008-15 with no conditions
7. The Town Council held a meeting on April 14, 2015 and based upon the staff report, evidence presented and findings of fact and conclusions of law one through six, moved to approve of the Conditional Use Permit CUP-008-15, with no Conditions

CONDITIONS:

1. No Conditions

The conditions shall be binding on the property and future owners so long as the use is maintained.

PASSED by the Town Council of the Town of Coupeville and APPROVED by the

Mayor this _____ day of _____, 2015.

TOWN OF COUPEVILLE

By _____
Nancy Conard, Mayor

ATTEST:

By _____
Kelly Beech, Clerk-Treasurer

RECEIVED

JAN 29 2015

CONDITIONAL USE APPLICATION

TOWN OF COUPEVILLE

APPLICANT

Name RALPH Mc CLOUD & ELEANOR WESTON Phone 425-765-2298
Address 5 NE 9TH ST. City COUPEVILLE State WA Zip 98239

OWNER

Name RALPH Mc CLOUD & ELEANOR WESTON Phone 425-765-2298
Address 5 NE 9TH ST. City COUPEVILLE State WA Zip 98239

AGENT OR CONTRACTOR

Name NONE Phone
Address City State Zip

Requested conditional use: BED & BREAKFAST 2 ROOMS

Legal description (attach separate sheet if required): ATTACHED LEGAL DESCRIPTION SEPARATE SHEET.

Assessor's parcel number and location of all lots within project:
S 6415-00-11007-0, 611822 & S 6415-00-11005-0, 611813

Existing zoning: RESIDENTIAL Current use of property: RESIDENTIAL

Site Plan: (attach a site plan to scale showing property boundaries; existing and proposed: uses, structures, landscaping and utilities, off-street parking, etc.)

Property owners within 300': (attach separate sheet listing assessor's parcel number, owner's name and mailing address of all parcels within 300' of the parcel on which conditional use is proposed.)

Is any part of the project within the following areas: Wetlands, Shoreline, Steep/Unstable Slope. NO

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE. DATED: 01-14-2015. Application No. CUP-008-15, Date Received 1/29/2015, Fee Paid \$500.00. Applicant's Signature, Owner's Signature.

LEGAL DESCRIPTION
FOR 5 NE 9TH STREET COUPEVILLE

PARCEL A:

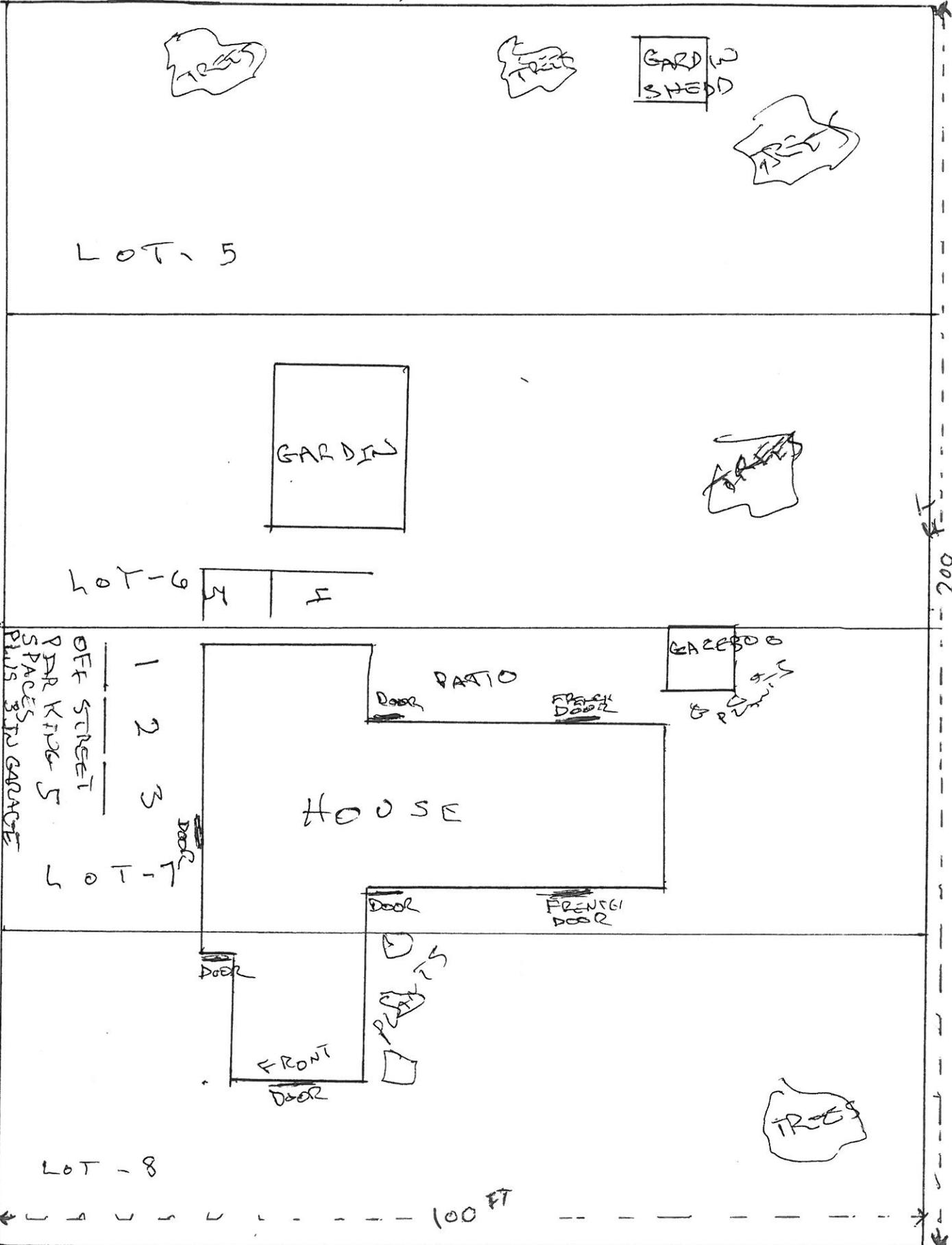
LOTS 7 & 8, BLOCK 11, PLAT OF COUPEVILLE
ACCORDING TO THE PLAT THERE OF,
RECORDED IN VOLUME 1 OF PLATS, PAGE 2
RECORDS OF ISLAND COUNTY, WASHINGTON.

PARCEL B:

LOTS 5 & 6, BLOCK 11, PLAT OF COUPEVILLE
ACCORDING TO THE PLAT THERE OF,
RECORDED IN VOLUME 1 OF PLATS, PAGE 2
RECORDS OF ISLAND COUNTY, WASHINGTON.

EXISTING AND PROPOSED, NO DIFFERENCE

01-14-2015

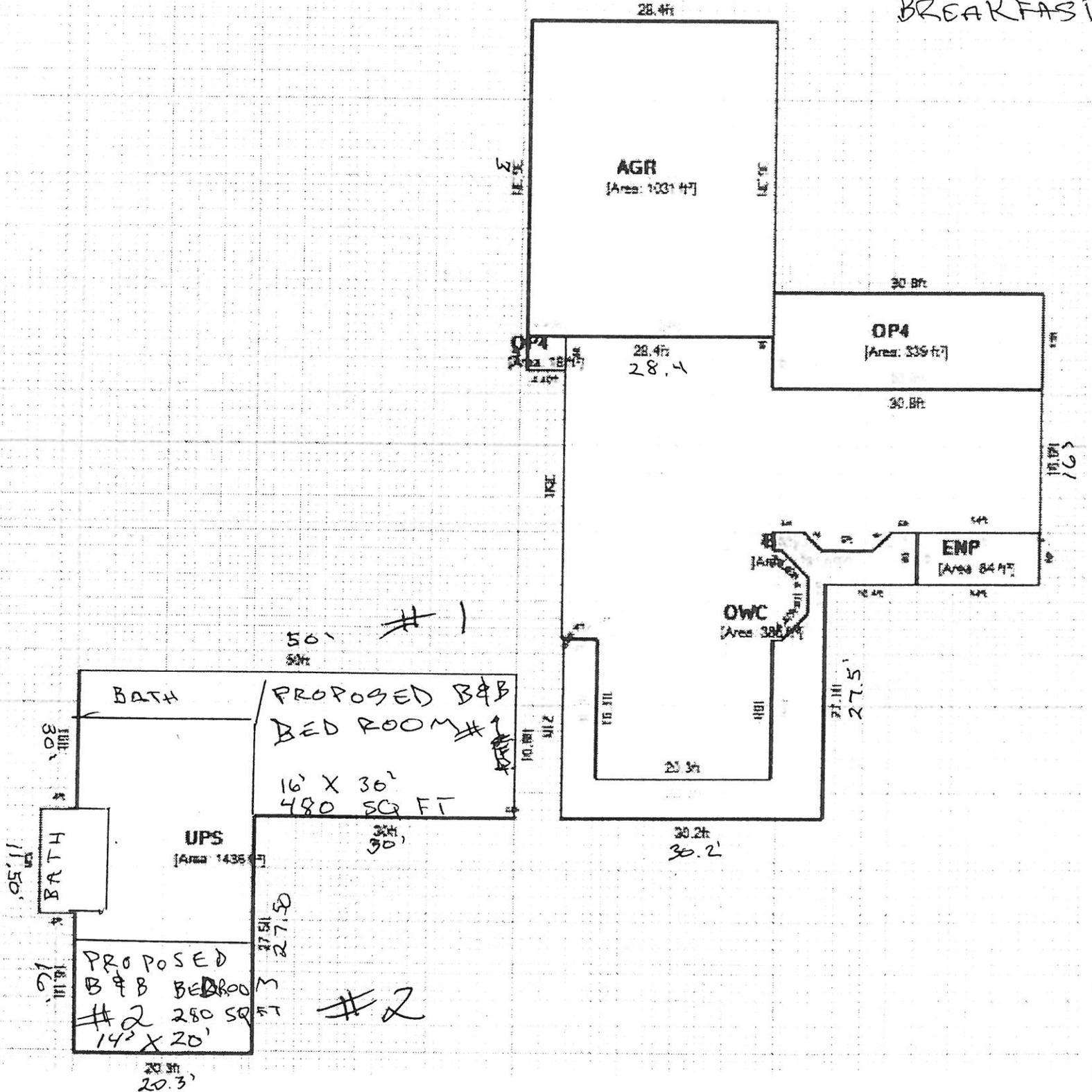


CEMENTED DRIVE

3 NE 9TH STREET

OWC	OPEN WOOD PORCH W/STEPS/ROOF/C	5	0	1889	385.0
ENP	ENCLOSED PORCH	5	0	1889	84.0
oOWR	WDD/ROOF	5	0	1889	0.0

ch PROPOSED UPSTAIRS 2-BED ROOMS FOR BED & BREAKFAST

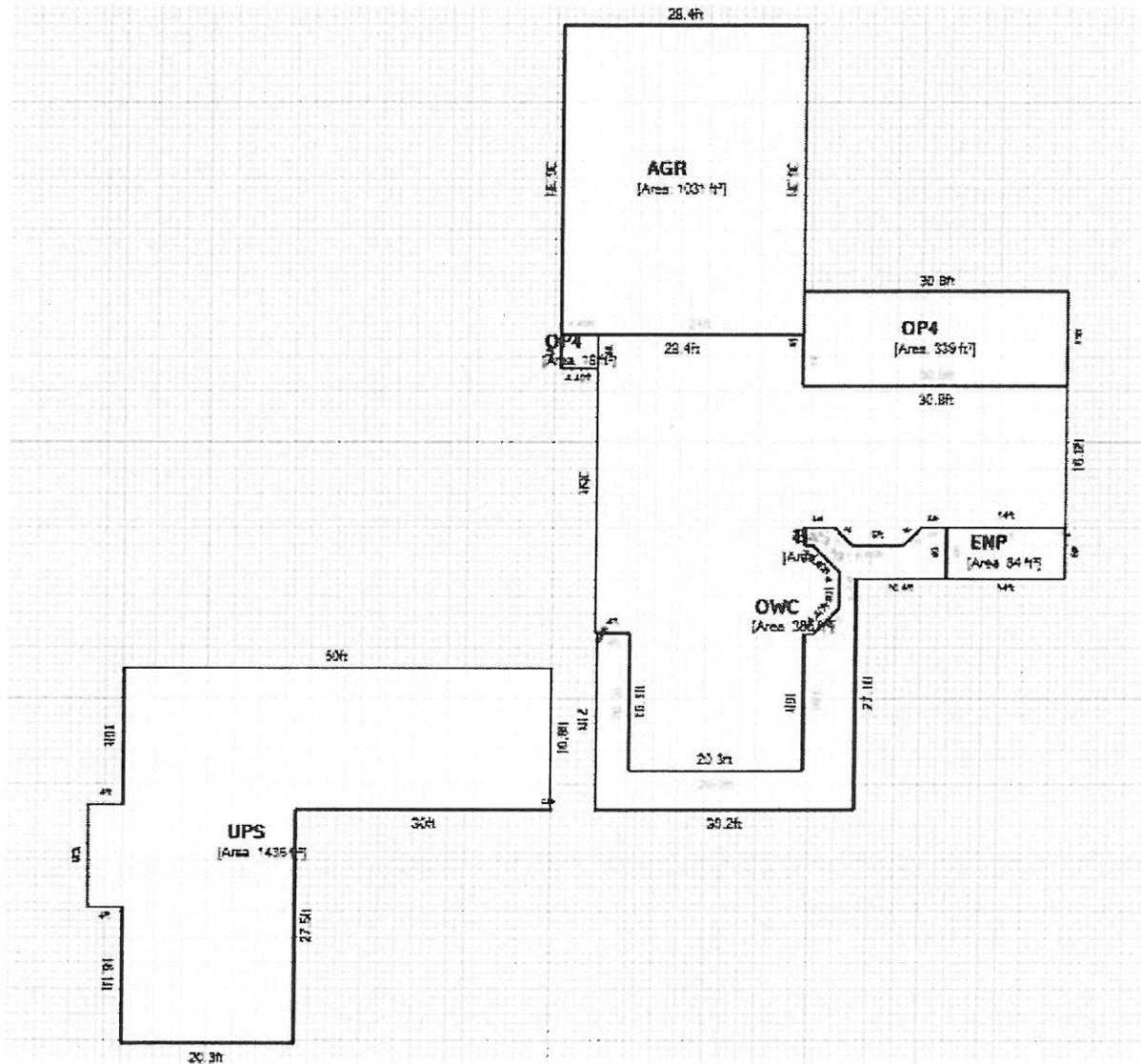


erty Image 5 NE 9th STREET COUPEVILLE WA 982

property contains TIFF images. Click on the button(s) to download the full image (which may contain multiple es).

			Sub Class		
			CD		
BAS	BASE/MAIN FLOOR	5	0	1889	1731.0
OP4	OPEN PORCH W/CEILING-ROOF	5	0	1889	17.0
OP4	OPEN PORCH W/CEILING-ROOF	5	0	1889	338.0
AGR	ATTACHED GARAGE	5	0	1889	1030.0
UPS	UPPER STORY	5	0	1889	1436.0
OWC	OPEN WOOD PORCH W/STEPS/ROOF/C	5	0	1889	385.0
ENP	ENCLOSED PORCH	5	0	1889	84.0
oOWR	WDD/ROOF	5	0	1889	0.0

Sketch



Property Image 5 NE 9TH STREET COUPEVILLE 98239

This property contains TIFF images. Click on the button(s) to download the full image (which may contain multiple pages).

01-14-2014

NARRATIVE ON PROJECT
COMPLIANCE FOR 5 NE 9TH STREET

A. PROJECT: A BED & BREAKFAST

- I. THE BED & BREAKFAST WILL BE CONSISTENT WITH THE PURPOSES OF THE DEVELOPMENT REGULATIONS AND ZONE DISTRICT IN COUPEVILLE. THE PROPOSED USE WILL MEET ALL THE APPLICABLE REQUIREMENTS OF THE DEVELOPMENT REGULATIONS.
- II. NO PUBLIC HEALTH, OR SAFETY AND WELFARE WOULD BE HARMED BY THE PROPOSED USE. THE VALUE OF NEARBY PROPERTIES AND IMPROVEMENTS WILL NOT BE SUBSTANTIALLY HARMED OR DIMINISHED IN VALUE. SOME WATER FRONT AND OTHER RETAIL BUSINESSES MAY BE IMPROVED BY ADDITIONAL SALES OR RESTAURANT USAGE BY THE BED AND BREAKFAST USERS.
- III. THE PROPOSED USE WILL BE IN HARMONY WITH THE COMPREHENSIVE PLAN, THE BED AND BREAKFAST WILL FIT IN WITH SIMILAR LIKE BUSINESSES IN THE AREA.

B. FINDINGS REQUIRED FOR PUBLIC/QUASI-PUBLIC FACILITIES.

- I. THE SIZE OF THE TWO STORY BUILDING WITH OVER 3,150 SQUARE FEET OF LIVING SPACE IS IDEAL FOR THE PROPOSED USE AS A BED AND BREAKFAST. THERE ARE PLEASANT SOUND WATER VIEWS AND MOUNT BAKER VIEWS FROM THE SITE.

NARRATIVE CONTINUED:

- II. THE $\frac{1}{2}$ ACRE SITE WILL PROVIDE AMPLE OFF STREET PARKING. THE ENTRANCES AND EXITS WILL NOT CREATE ANY TRAFFIC HAZARDS ON PUBLIC STREETS.
- III. THE USE OF THIS LAND AS A BED AND BREAKFAST WILL ALLOW MORE USE FOR TOURIST FACILITIES, IN THE AREA.

EBEY'S LANDING NATIONAL HISTORICAL RESERVE



National Park Service
Pacific Northwest Region
Cultural Resources Division

Westin Building, Room 1920
2001 Sixth Avenue
Seattle, Washington 98121

NAME(S) OF STRUCTURE Methodist Parsonage	DATE OF CONSTRUCTION 1889	SITE ID. NO.					
SITE ADDRESS (STREET & NO.) 5 NE 9th Street	ADDITION(S)	SCALE 1:24000	QUAD NAME COUPEVILLE	UTM ZONE	EASTING	NORTHING	
CITY/VICINITY Coupeville	COUNTY Island	STATE Washington	CROSS REFERENCE LA29	DANGER OF DEMOLITION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			
OWNER/ADMIN ADDRESS Richard Hart 5NE 9th St. Coupeville, WA 98239	parcel #S6415-00-1100	CONTRIBUTING <input checked="" type="checkbox"/> CONTRIBUTING <input type="checkbox"/> NON-CONTRIBUTING					

DESCRIPTION AND BACKGROUND HISTORY INCLUDING CONSTRUCTION DATE(S), PHYSICAL DIMENSIONS, MATERIALS, MAJOR ALTERATIONS, IMPORTANT BUILDERS, ARCHITECTS, ENGINEERS, ETC.
 Vernacular Residence with Italianate elements. Wood frame set on post and stone foundation; rectangle (16' x 24') with 1-story gable roof addition on south; 2 bays wide; 2-stories; shiplap siding; wood-shingled hip roof with slightly extended eaves; off-set entrance on north facade with panelled door, and plain surround; corbelled center chimney. Exterior features include 1/1 and 2/2 double-hung sash, some with molded cornice, plain surrounds; large single pane fixed sash with transom; 1-story, 3-sided bay window on west facade; boxed cornice; decorated frieze; corner boards; low hip-roofed porch supported by plain posts with carved brackets across north facade; plain railing with turned newel posts; pilasters; vertical wood panel skirting.

This house served as the Methodist Parsonage from 1889, when it was constructed, until 1955. The house is now owned by a member of the Lovejoy family and is rented. Additions have been made to the south facade, but the structure retains its architectural integrity.

1995: Addition to south facade; garage enlarged; one contributing building.

PUBLIC ACCESSIBILITY <input checked="" type="checkbox"/> YES, LIMITED <input type="checkbox"/> NO	EXISTING SURVEYS <input type="checkbox"/> NR	HABS <input type="checkbox"/> HABS <input type="checkbox"/> NHL	LCS <input type="checkbox"/> LCS <input type="checkbox"/> NPS	STATE <input type="checkbox"/> STATE <input type="checkbox"/> COUNTY	LOCAL <input type="checkbox"/> LOCAL <input type="checkbox"/> OTHER
LOCATED IN AN HISTORIC DISTRICT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME Cent. Whid. Isl. Hist. Dist.	CONDITION <input type="checkbox"/> EXCELLENT <input checked="" type="checkbox"/> GOOD		FAIR <input type="checkbox"/> FAIR <input type="checkbox"/> DETERIORATED	
SIGNIFICANCE					

This property is significant under National Register criterion A, for its association with religion, beliefs, and cultural traditions important to members of the Reserve community, and is representative of the period of community development from 1871 to 1910. This property is also significant under National Register criterion C, because it embodies the distinctive characteristics of architectural expressions and methods of construction that represent the period of community development in the Reserve, from 1871 until 1910. It retains integrity of location, setting, materials, design, workmanship, feeling and association.

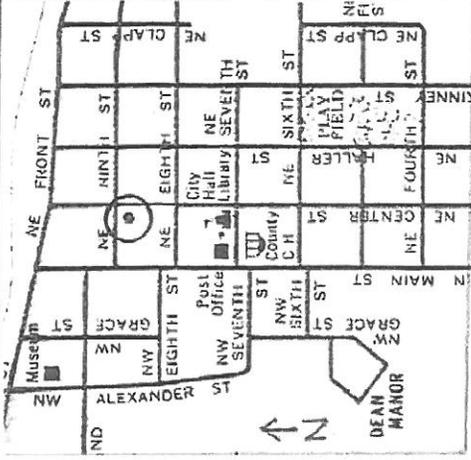
PHOTOGRAPHS AND SKETCH MAP OF LOCATION



FROM N



FROM NW



FROM NE



NEGATIVE NO. L8-32; C12-3,4 HABS/HAER QUALITY YES NO

REFERENCES Cook, Penn's Cove. p. 102.

INVENTORIED BY Luxenberg/Castellano/Lein

AFFILIATION National Park Service

DATE Summer, 1983