

**Joint Public Hearing of the Coupeville Town Council and
Island County Board of Commissioners
Commissioner's Hearing Room
September 26, 2011
6:00 pm**

TOWN COUNCIL PRESENT: Mayor Nancy Conard; Councilmembers Dianne Binder, Bob Clay, Ann Dannhauer, Molly Hughes.

TOWN STAFF PRESENT: Town Planner Larry Kwarsick, Clerk-Treasurer Judy Thomas

OTHERS: Island County Board of Commissioners Angie Homola, Helen Price-Johnson, Kelly Emerson, Clerk of the Board Elaine Marlow, Secretary to the Board Debbie Thompson, Island County Planning Director Bob Pederson, and Ebey's Reserve Manager Mark Preiss.

Commissioner Homola reconvened Island County Commissioners meeting at 6:00 pm.

Mayor Conard called the meeting of the Coupeville Town Council to order at 6:00 pm. She explained how the town of Coupeville, Island County and the Ebey's Landing National Historical Reserve have been working together for almost three years, to develop a unified code and design guidelines for the properties within the Reserve.

Attorneys from both the Town and the County have reviewed the final documents, and have made suggestions for text changes; and the Town Council and County Commissioners have copies of the documents as edited by the attorneys, with changes tracked. Since the attorney edits were submitted after initial publication, they have suggested that tonight's public hearing be continued to Monday, October 3rd at 10:15 am, to allow the public to review their changes.

Town Planner Larry Kwarsick explained the purpose of the public hearing is to hear comments on the final version of the Unified Code and the Ebey's Landing National Historic Reserve Design Manual. The code changes include the development of a Historic Preservation Commission, establishes a hierarchy of approval of different types of projects, and decision making levels, 1st, 2nd and 3rd levels. The town ordinance includes changes to the historic overlay zone.

Bob Pederson explained that the Island County documents for approval are the ordinance, which also repeals the previous ordinance and a resolution adopting the Ebey's Landing National Historical Reserve Design Guidelines.

Mark Preiss added that there is a commitment between the Town, the County and the Reserve for an annual training program for staff and elected officials.

Commissioner Homola asked about the timeline for the maps and more information on the levels of approval. Mr. Pederson and Mr. Kwarsick responded to her questions and explained about the levels of approval.

Mr. Pederson responded to the question that the Design Guidelines/Manual which are adopted by reference in the County and Town Codes. The goal is to have a similar outcome within the Town and the County.

Mayor Conard explained that approval of this ordinance is a legislative matter and the hearing is an opportunity to comment on what is proposed. If the public asks questions, staff will respond after the public comment portion of the hearing is closed.

Mayor Conard declared the public hearing open at 6:30 pm.

Paula Spina, Crocket Farm, Coupeville, explained that she participated in this process from very early on. She has been opposed to this process for the longest time because for 31 years the Reserve has done rather well. She's disappointed because she feels that the protections have been relaxed and diminished, from the current County ordinance, with the exception of those people who own historic properties; a huge burden is being shifted to those people; and protections are being relaxed on everyone else. She gave some examples regarding re-painting her barn, re-graveling her driveway, she has to get a certificate of appropriateness, which have fees. In her opinion, she thinks a lot of people will stop taking care of their historic structures because it will be too onerous to go to the county, or the board, anytime you have to do something. She has a problem with the people who live in the county don't get to vote for the Town elected officials, yet their property rights will be regulated by those people because who will be appointing individuals to the new HPC. She added that although you say you will review this document every year; but after 2-1/2 years of developing this document; the reality is that you will never come back to this, as it has already been too onerous. If this is not done right now, you will never come back to it. You need to get it right, now, even if it takes another year. Mr. Pederson responded to the comment that both re-painting and driveways are both contingent exemptions, and don't require a building permit or a COA. Ms. Spina read the portion of ICC '17.04A.080 2. No person...' and said he is misreading his own ordinance. Mr. Kwarsick concurred with Mr. Pederson's comment and referenced page 20 of the Island County Code 17.04A.090 B. Contingent Exemptions.

Jeff Howell, Coupeville, his house was built in 1987 and not sure how these ordinances will affect his non-historic house. Mr. Kwarsick explained that we have developed a quick guide, that is included in the design guidelines, for property owners to look at the most typical types of projects that people may have questions about, i.e. additions to non-historic structures would need to get a building permit. Mr. Pederson added that it is best for property owners to come in and discuss their ideas before developing their plans, so they are aware of setback requirements and zoning, etc.

Steve Foster, Penn Cove Park, Coupeville, thanked Mr. Pederson and Mr. Kwarsick and asked when is the deadline for guidelines revisions. Mr. Pederson responded that if there are any revisions they would need to be received prior to the next/continued public hearing on October 3rd. Mr. Foster asked if additional staff would be needed to implement this process and have these additional costs been considered. Mr. Pederson responded that they do not anticipate any more time than is already spent on the process; there will be a fee structure that will go along with this process. Mr. Foster said there is nothing in here that makes this retroactive and there are several areas that are beautiful and well maintained but there is a large area in the Reserve that needs to be brought up to some semblance of standards. Is there something in the design guidelines to improve the visual aspects of the housing in the Reserve. Mr. Kwarsick explained that neither code is retroactive; it is responsive to a request from a property owner.

Mayor Conard explained that the public hearing is still open and will be continued to October 3, 2011. The Council and Commissioners will not begin deliberation until the public comment portion of the meeting is closed, at the continued public hearing.

Commissioner Homola clarified that there were some minor changes, by the attorneys, to the documents that were provided to the public, that is the reason the public hearing is being continued to October 3, 2011; and if there are any changes to tonight's document then the public

hearing would have to be continued after October 3rd. Mr. Kwarsick added that this public hearing, tonight, is to focus on the documents as they were originally advertised, and posted on the websites.

Wilbur Bishop, Coupeville, explained that he checked the County’s website for the Design Guidelines but the version that came up was December 2010 and he asked if the current version had been updated. Mayor Conard explained that the version being considered tonight is dated August 5, 2011, and Judy Thomas provided Mr. Bishop with a copy of that version.

Ricardo Reyes, Coupeville, explained that he has read the Design Guidelines and asked about page 18, Part 4, last paragraph, when it refers to historic building codes, if that is referring to the international building codes? Mr. Kwarsick confirmed that it is the international building codes. Mr. Reyes asked about some other areas in the Ordinance where the town planner had been added and the building official and design review board were deleted. Mayor Conard explained that this is the Town’s version and the idea was to replace the design review board with town planner.

There were no more public comments.

Commissioner Homola noted a typo in the County ordinance to replace Natural with National.

County Commission Action: A motion was made by Commissioner Emerson, second by Commissioner Price-Johnson, to continue the public hearing to Monday, October 3, 2011, at 10:15 am, in the Commissioners Hearing Room. The motion passed 3-0.

Town Council Action: A motion was made by Councilmember Clay, second by Councilmember Hughes, to continue the public hearing to Monday, October 3, 2011, at 10:15 am, in the Commissioners Hearing Room. *Discussion:* Councilmember Dannhauer stated she will not be able to attend the October 3, 2011 public hearing and noted there was a change on the penalties for the unlawful demolition of an historic structure, and it was changed to \$500 and/or jail for 30 days. The motion passed 4-0. Mayor Conard asked Councilmember Dannhauer to email her suggestion to staff.

At 7:15 pm the public hearing was recessed to October 3, 2011 at 10:15 am.

ADJOURNMENT: 7:15 p.m.

Respectfully Submitted:

MAYOR:

Judy A. Thomas, Clerk Treasurer

Nancy Conard, Mayor