

DRAFT PROPOSAL – WHEN APPROVED IN FINAL FORM WOULD REPLACE:

- 1. CURRENT CTC 16.12.080 - DESIGN REVIEW BOARD and COMMUNITY DESIGN STANDARDS**
- 2. CURRENT ICC 17.04 – EBHEY’S LANDING NATIONAL HISTORICAL RESERVE**

CTC/ICC _____ Historic Preservation

A. Purpose.

The purpose of this section is to provide for the protection of historic and prehistoric resources within the Ebey’s Landing National Historical Reserve (Reserve) and to encourage the protection, preservation, restoration and rehabilitation of historic and/or cultural resources within the Reserve for future generations in order to:

1. To protect, enhance, and preserve Contributing Structures, buildings, objects, sites, structures and landscape features which represent significant elements of the Reserve’s cultural, agricultural, historic, social, economic, scenic, natural, and architectural history.
2. To maintain the Reserve’s viability and property values through managed preservation of historic and scenic landscapes and associated historic structures.
3. Increase recognition of the Reserve’s historic and cultural resources;
4. Foster a sense of identity based upon the Reserve’s history;
5. To strengthen the area’s economy by protecting and enhancing the Reserve’s attraction to visitors and supporting agriculture use within the Reserve.
6. To maintain the economic viability of farms within the Reserve by working with the agricultural community to preserve significant Cultural Landscapes while allowing new economically viable and compatible construction.
7. To assist the public in making development decisions which are compatible with the Reserve’s character and long term preservation.
8. Promote and facilitate the early identification and resolution of conflicts between preservation of historic or cultural resources and alternative land uses.
9. To educate and provide outreach and awareness to the property owners of the Reserve.
10. Work with the Trust Board of Ebey’s Landing National Historical Reserve to aid in preserving and maintaining Scenic Easements as established under the National Park Service (N.P.S.).
11. To assist, encourage, and provide incentives to property owners for preservation, restoration, and use of significant buildings, objects, sites, and structures.
12. To make determinations concerning the eligibility of individual properties for special tax valuation, and
13. Work in collaborative effort with the Trust Board of Ebey’s Landing National Historical Reserve, Island County (County), and the Town of Coupeville (Town) to have a unified long range vision and consistent designs within the County and Town.

B. Applicability.

This section applies the geographic area of the Ebey’s Landing National Historical Reserve (Reserve) both writing unincorporated Island County and the Town of Coupeville and to all buildings, sites, structures, or objects which add to the historic architectural qualities, historic associations, or archeological values of the Reserve which were designated as “contributing” in the Building and Landscape Inventory (1995) prepared for the Ebey’s Landing National Historical Reserve; those that are subsequently named to the Ebey’s Reserve Register of Historic Places; and those properties containing protected cultural resources.

C. Permit issuance restrictions.

The Departments of the County/Town shall not issue permits or approvals affecting the use of the property within the Reserve prior to the issuance of a Certificate of Appropriateness as established herein, as applicable. Referenced permits/approvals include but are not limited to building permits, onsite sewage system permits, well site approvals, clearing and grading, road access, work on public right of way, and /or any other land use or governmental approvals potentially affecting the application and/or effectiveness of the standards adopted herein.

D. Design Guidelines Adopted – The County and Town adopts by reference *The Ebey’s Landing National Historical Reserve Design Guidelines* (Guidelines), approved by the Board and Council and any subsequent approved amendments thereto. The Guidelines are available to the public at the Island County Planning and Community Development office or Town of Coupeville Town Hall. The Guidelines contain technical guidance for complying with this chapter.

E. Definitions.

All definitions of Town and County code are incorporated into this Chapter, unless modified below. Where terms are not defined in this code, such terms shall have their ordinary accepted meanings within the context with which they are used. :

1. “Alteration” means Minor modification of structures, buildings, or landscaping without completely changing the original configuration.
2. “Board” shall refer to the Island County Board of Commissioners, except where reference is made to the “local review board” for purposes of the special valuation tax incentive program.
3. “Certificate of Appropriateness (COA) is a document administratively issued or issued by the Commission which determines whether a regulated action in the Reserve, is consistent or can be conditioned to be consistent with applicable design guidelines or standards.
4. “Commission” means the “Ebey’s Reserve Historic Preservation Commission (HPC or Commission). Members are appointed by the Board and Council. Its purpose is to promote historic preservation, conduct design review and issue Certificates of Appropriateness for new construction and other proposals affecting historic buildings/structures/sites, to alter a historic building/structure, to demolish or relocate a building/structure and other projects consistent with the adopted uniform process and standards.
5. “Council” shall refer to the Council of the Town of Coupeville.
6. “Cultural resources” consist of historic or prehistoric or archaeological sites and standing structures, cemeteries, burial grounds and funerary objects and distributions of cultural remains and artifacts.
7. “Demolition“ means the destruction or removal, or relocation, of a building or structure, in whole or in part. Demolition pertains to the demolition or partial demolition of significant features of a building that are important to defining the building or structure’s historic character. Demolition does not include the removal of past additions for the express purpose of restoration of a structure to its historic appearance, form, or function. This exclusion is valid so long as the demolition is done as part of a design review application.
8. “Demolition by neglect” means the willful destruction of a structure caused by failure to perform maintenance over a long time period. A structure is considered demolished when human occupancy is judged as unsafe as defined by the jurisdictions adopted Building Code.
9. “Design review” means the process of applying specific design guidelines to proposed projects that may potentially affect a cultural resource within the Reserve.

10. "Deteriorated" means the substantial loss of the original condition of a building or building element over time, due to natural elements, human activity, or inactivity.
11. "Development" means any proposal which will result in construction, development, earth movement, clearing, or other site disturbance and such requires a permit, approval, or authorization from the town/or county or is proposed by a public agency.
12. "Emergency repair" means necessary work to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.
13. "Farm Cluster" means a grouping of buildings and/or structures that have historically been used to support farming activities such as barns, outbuildings, silos, water towers, and farmhand housing. Farm clusters typically have a house, a main barn and several outbuildings.
14. "Guidelines" means the Ebey's Landing National Historical Reserve Design Guidelines, approved by the County and Town, and any subsequent approved amendments thereto.
15. "Historic Building and/or Site means a locally designated landmark building and/or site to include those designated as "contributing" in the Building and Landscape Inventory (1995) prepared for the Ebey's Landing National Historical Reserve and contributing" to the Central Whidbey Historic District and those that are subsequently added to the Ebey's Reserve Register of Historic Places National Historic Preservation Act and further including at a minimum lands within 100 feet thereof. The list of historic sites located within the Reserve is attached hereto as Exhibit A.
16. "Historic Structure means a locally designated landmark structure such as a barn, outbuilding, etc. that have been designated as "contributing" in the Building and Landscape Inventory (1995) prepared for the Ebey's Landing National Historical Reserve and contributing" to the Central Whidbey Historic District and those that are subsequently added to the Ebey's Reserve Register of Historic Places National Historic Preservation Act. The list of historic structures is attached hereto as Exhibit A.
17. "Land Use – Major" means quasi-judicial decisions approved by the Legislative body/Hearing Examiner.
18. "Land Use Minor" - means quasi-judicial decisions administratively approved.
19. "National Register of Historic Places" means the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.
20. "Ordinary repair and maintenance" means work for which a permit issued by Island County/Town is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structural appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.
21. "Partners" means the Board of Island County Commissioners, the Council of the Town of Coupeville, and the Trust Board of Ebey's Landing National Historical Reserve.
22. "Qualified archaeologist" means a person who has had formal training and/or experience in archaeology over a period of at least three (3) years, and has been certified in writing to be a qualified archaeologist by two (2) professional archaeologists, as defined in RCW 27.53.030.

23. “Reserve or Ebey's Landing National Historical Reserve” means the geographic area delineating America’s first historical reserve and a unit of the National Park Service. The Reserve was established in 1978 by Congress to preserve and protect a rural community which provides an unbroken and vivid historical record of Pacific Northwest history, from 19th century exploration and settlement to the present time. The Reserve contains 17,572 acres, 17 working farms, more than 400 historical structures, native prairies, two state parks, miles of shoreline, a network of trails and the second oldest town in Washington. A map representation of the Reserve which is the geographic area regulated under this chapter, is attached hereto as Exhibit B.
24. Replacement in kind” means that the new feature (e.g., siding, roofing, windows, or trim) which have the same material, appearance, and color as the original feature. For siding and windows, the new material must reasonably match the design, profile, material, and general appearance of the original.
25. “Reserve Committee” means a committee composed of the Town Planner, or his/her designee, the County Planning Director, or his/her designee, and the Reserve Manager.
26. “Review Area” means the geographic area or areas within which a regulated action may directly or indirectly cause changes in the character or use of historic properties. These areas include both cultural and natural resources with a historic, cultural, or aesthetic value.
27. “Review Area 1” means an area or neighborhood that has a concentration of buildings and/or associated landscape and streetscape features that retain a high degree of historic character. These properties include all buildings visible across a prairie or water body or from a public road which shall also include the intrinsic links between the historic building and other historic features on the site. Such links shall be visually protected in order to maintain the sense of the historic setting. This area includes:
 - a. All historic (contributing) buildings and sites within the Reserve. These have the highest design review standards, to preserve their character and integrity;
 - b. All properties in the Coupeville Historic Overlay Zone and including properties that are visible from major roads or water bodies;
 - c. Other historic buildings in Coupeville, including their property and an area 100 feet around the historic building and sites;
 - d. Properties that are visible from major public roads and/or Penn Cove;
 - e. All properties within the MOA zone designation of the Town of Coupeville
 - f. Properties within the Town of Coupeville within the jurisdiction of the Shoreline Management Act and therefore visible from Penn Cove as well as property along Parker Road and SR 20 which were included by description are now as shown on the map, and
 - g. All properties within unincorporated Island County that are not located in Area 2.
28. “Review Area 2” means Area within the Reserve requiring limited review for regulated actions. This Area includes buildings that are not visible from major roadways or historic areas. Area 2 includes:
 - a. Within unincorporated Island County those portions of the Sierra subdivisions not adjacent to West Beach Road, those portions of the Penn Cove Parks subdivision not adjacent to Monroe Landing Road, those portions of the Rolling

Hills subdivisions east of the ridgeline, and the Penn Cove Park subdivisions, except that portion thereof adjacent to the shoreline and Monroe Landing Road,

- b. New construction, additions, alterations and accessory structures on properties in woodlands that are entirely screened from public view by heavy vegetation and for which covenants have been established which restrict the removal of the screening.
 - c. All properties located within the Town that are not located in Area 1.
- 29. "Scenic Easement" means easements within the Reserve purchased and administered by the National Parks Services and Trust Board.
 - 30. "Scenic Vista" means a picturesque, pastoral scene of rural land, or open space with little or no modern intrusions.
 - 31. "Sensitive Areas" means areas where scenic, natural, or cultural or historic features are prominent.
 - 32. "Special purpose district" means every municipal and quasi-municipal corporation other than counties, cities, and towns. Such special purpose districts shall include, but are not limited to, water-sewer districts, fire protection districts, port districts, public utility districts, county park and recreation service areas, flood control zone districts, diking districts, drainage improvement districts, and solid waste collection districts, but shall not include industrial development districts created by port districts, and shall not include local improvement districts, utility local improvement districts, and road improvement districts.
 - 33. "Trust Board" means the appointed 9-member body representing a partnership of local, state and federal governments working collaboratively to ensure the historic and natural resources of the Reserve are protected for future generations.

D. Ebey's Reserve Historic Preservation Commission.

- 1. Creation and Size. The Town and County establish an Ebey's Reserve Historic Preservation Commission (the Commission or HPC), consisting of nine (9) members. Members of the Commission shall be appointed by the Town and County as herein below described and shall be residents of the Reserve, except as provided for herein.
- 2. Commission Appointments
 - a. Four members are appointed by the Board; one of these four appointments would be based on the recommendation of the Trust Board of Ebey's Reserve.
 - b. Four members are appointed by the Coupeville Town Council; one of these four would be based on the recommendation of the Trust Board.
 - c. One member is appointed jointly by the County Commission and the Town Council, upon recommendation of the Trust Board.
- 3. Composition of the Commission.
 - a. All members of the Commission should have a demonstrated special interest, experience, or knowledge in history, historic preservation, architecture, design, cultural landscapes, or related disciplines.
 - b. One (1) member shall be an agricultural representative (working farmer, retired farmer or farm owner, or with an interest or background in agriculture) in the Reserve.
 - c. Ideally, two (2) members shall own an historic building or structure within the Reserve.
 - d. Ideally, two (2) members should be professionals who have experience in identifying, evaluating, and protecting historic and cultural resources. These members should be selected from among the disciplines of history, public

- history, architecture, architectural history, historic preservation, planning, cultural landscapes, archaeology, cultural geography, American studies, or the practice of historic rehabilitation or restoration. If necessary, one (1) of these professional representatives may live outside of Island County.
- e. The remaining members shall reside in or own property within the Reserve and have a demonstrated interest historic preservation.
 - f. An exception to the residency requirements of Commission members may be granted by the Partners in order to obtain representatives from the desired list of professional disciplines.
4. Terms.
 - a. The initial appointments to the Commission shall be staggered.
 - i. Two (2) members shall be appointed for one (1) year;
 - ii. two (2) members shall be appointed for two (2) years;
 - iii. two (2) members shall be appointed for three (3) years;
 - iv. two (2) members shall be appointed for three (4) years; and
 - v. one (1) member, i.e. the jointly appointed member shall be appointed for five (5) years. Thereafter the terms shall be for three (3) years. The Town and County shall each appoint a representative member during each period.
 - vi. Following the initial appointment of members, membership on the Commission shall be limited to two (2) full consecutive three (3) year terms. Reappointment after two (2) full consecutive terms maybe made after at least a one (1) year absence.
 - b. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms. Members may be removed by their respective governmental appointer for inefficiency, neglect of duty or malfeasance in office. The members shall be selected without respect to political affiliations.
 5. Powers and Duties. The major responsibilities of the Commission are to identify and actively encourage the conservation of the Reserve's historic and cultural resources by maintaining a register of historic places and to issue Certificates of Appropriateness as described herein below. In carrying out these responsibilities, the Commission shall engage in the following:
 - a. Conduct design review and issue Certificates of Appropriateness for alterations to historic buildings/structures/sites, demolitions or relocations of historic properties and other actions as required herein;
 - b. Resolve applicant objections of a Type II decision made by the Reserve Committee as specified herein regarding Certificates of Appropriateness;
 - c. With the Trust Board and the National Park Service as partners, maintain and periodically update a comprehensive inventory of historic resources within the boundaries of the Reserve;
 - d. Maintain the Ebey's Landing Register of Historic Places, including designating additional properties based on established criteria;
 - e. Act as the local review board for special tax valuation pursuant to Chapter 84.26 RCW and WAC 254.20 and for purposes of eligibility for loans, grants and other incentive administered by the Town or County; and,
 - f. When requested by Town or County, provide comments on applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to historic resources (including buildings, structures, sites and landscapes) or adjacent property(ies).

- g. Advise Town or County staff should a compliance issue be observed regarding the Reserve's historical regulations, to enable appropriate monitoring and enforcement.
- 6. Compensation. All members shall serve without compensation.
- 7. Rules and Officers.
 - a. The Commission shall establish and adopt its rules and procedures not inconsistent with this section.
 - b. The Commission shall select from among its membership a chairperson and vice-chair to conduct the Commission's business. The chairperson shall not vote except in the case of a tie vote.
 - c. A quorum of the Commission must be present to conduct business.
- 8. Commission Staff. Staff assistance shall be provided by the Partners with additional assistance and information to be provided by other county or town departments as may be necessary to aid the Commission in carrying out its duties and responsibilities under this section.
- 9. Recommend amendments to the Guidelines to the Planning Directors of the Town and County.
- 10. Interlocal Agreement Required. Prior to review by the Commission of nominations or Certificates of Appropriateness for properties within the Reserve, an interlocal agreement between the Partners shall be established.

E. Applicability - Review of Changes to Historic Buildings/Structures/Sites – Design Review Required

- 1. Review Required.
 - a. No person shall demolish/partially demolish/relocate a historic structure; construct any new building or structure, or reconstruct, alter, restore, remodel, repair, or make any material changes to the landscape (clearing, grading, etc.) which affects a historic structure or site within the boundaries of the Reserve without receipt of a Certificate of Appropriateness issued by the County, Town, Reserve Committee, or Reserve Commission as required herein. The review shall apply to all features of the property that contribute to its designation. This requirement shall apply whether or not the proposed action also requires a building or other permit. Information required to review a proposal is established herein.
 - b. All decisions involving applications for Certificate of Appropriateness shall be in writing and shall state the findings of fact and reasons relied upon in reaching the decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of the subsequent building, land use, and/or demolition permits granted.
- 2. Exemptions. The following activities do not require a Certificate of Appropriateness although the activity shall still comply with the guidelines specified in the Design Manual.:
 - a. Emergency repair
 - b. Alteration of interior features.
 - c. Painting
- 3. Review Process. Requests for Review and Issuance of a Certificate of Appropriateness.
 - a. The Town and County Planning Official shall report any application for a land use development and/or building permit within the Reserve to the Commission. If the activity is not exempt from review, the Planner shall notify the applicant of the review requirements and application. The Planner shall not authorize the

issuance of any permit by their respective government until a Certificate of Appropriateness has been issued by the approving authority and reviewed by the Planner as outline herein.

- b. There are established three (3) types of decision making levels for reviewing an application and issuance, conditional issuance, or denial of a Certificate of Appropriateness. The processing time periods specified in CTC/ICC _____ for administrative decisions, as now exist or is hereinafter amended, govern the decision making timeframe for processes established herein.
 - i. Type I Decisions - Administrative
 1. An administrative review by the Planning Director or Town Planner for actions as listed below:
 - a. Repairs of existing structures using the same materials and design as the original (if the original materials conform to current design standards).
 - b. Re-roofing using the same type and color of material (if the original materials and colors conform to current design standards).
 - c. Replacement of sidewalks and driveways using the same type and color of materials. (if the original materials and colors conform to current design standards).
 - d. Replacement of foundations or major portions thereof, using the same type and color of materials (if the original materials and colors conform to current design standards).
 - e. Replacement of utility systems that do not alter the building exterior.
 - f. Structural or seismic upgrades that do not alter the building exterior
 - g. Accessibility alterations that do not permanently alter the building exterior.
 - h. Commercial, institutional, public , and residential signage that meet requirements in the standards
 - i. Decks, porches, and walkways that meet requirements in the standards
 - j. Retaining walls and fences that are less than 6 feet in height (based on pre-development grade) that meet requirements in the standards.
 - k. Commercial, institutional, and public signage
 - ii. Type II Decisions - Administrative
 1. An administrative review by the Reserve Committee for actions as listed below:
 - a. Demolition or relocation of non-contributing buildings
 - b. Design of short plats
 - c. Accessory structures that meet the requirements in the standards
 - d. New construction in Area 2 or new construction that is totally screened (permanently from view from adjacent property, streets and water bodies).
 - e. Clearing and grading activities including the removal of significant trees in Area 2.

- f. Additions to an existing non-contributing building that is adjacent to contributing building or structure within the historic restoration overlay zone of the Town.
 - g. Energy conservation and sustainability improvements in Area 2.
 - h. Farm Cluster Preservation Plans
 - i. Replacements in-kind consistent with the requirements of the Design Manual
 - 2. Decisions of the Reserve Committee on the COA and/or conditions associated with the COA shall be unanimous. The Reserve Committee shall refer an application to the Reserve Commission when:
 - a. The Reserve Committee is unable to make a unanimous decision on the application or on the conditions of the Certificate of Appropriateness; or
 - b. Upon the request of the applicant
 - 3. In the event of an application is unclassified, the Reserve Committee is authorized to assign the decision making process to application and shall notify the Commission of their decision.
- iii. Type III Decisions – Commission Decision
 - 1. The Commission will review projects either in a public meeting or public hearing as indicated below:
 - 2. Public Meeting:
 - a. Alterations of a historic buildings/structure;
 - b. Additions to historic buildings/structures;
 - c. New residential construction within Area 1;
 - d. Removal of a noncontributing addition to a Historic building/structure
 - e. Retaining walls and fences that are in excess of 6 feet
 - f. Public park improvements visible from public rights of way
 - g. Major Land Use Actions to include plats, planned residential development, over-water shoreline development, clearing and grading activities, conditional use permits highway and street improvements involving the addition of lanes and/or the addition of right-of-way, and above-ground power transmission lines. The recommendations of the Commission on major land use decisions are restricted to design considerations and are advisory in nature and shall constitute a recommendation to the decision making body.
 - 3. Public Hearing:
 - a. Demolition (partial or complete) and relocation of historic buildings. (The standards for demolition are specified below.)
 - b. New Nonresidential (commercial, public and institutional) buildings and structures construction within Areas 1 and 2;
 - c. New multifamily structures to include apartments, low income housing, cottage housing, and modular home parks.

- d. Resolution of applicant Objections to Type II decisions.
- c. When a Certificate of Appropriateness is required, the following procedures shall govern according to the type of review required:
 - i. Type I and II decisions:
 - 1. Applications for the COA shall be submitted to the County/Town on forms provided by the County/Town and in accordance with the following submission requirements:
 - a. a clear color photograph or photographs of the building, object, site, structure and adjacent properties;
 - b. a complete description of the intended work;
 - c. scaled site plan depicting existing and proposed structures and improvements to include significant trees, tree planting, buffering, and landscaping;
 - d. scaled design elevations of new structures/improvements, alterations, and additions;
 - e. covenants as applicable;
 - f. samples of construction materials and for historic structures samples for comparison with the existing or the original building or structure; and.
 - g. any supplemental information deemed necessary for review of the application by the County/Town.
 - h. The County/Town may waive standard requirements if not necessary to the decision making process due to the simplicity of the application.
 - 2. The Town/County Planner and/or the Reserve Committee may refer the application to the next higher decision making body for a decision in accordance with the procedures set forth herein when in their opinion that the action potentially has a greater impact to the Reserve's cultural resources than similar applications. The time for a decision of the Commission on the application shall run from the date that the application is referred to the Commission by the staff.
 - 3. Decision of the staff for a Type I decision to refer the application to the Reserve Committee or a decision of the Reserve Committee to refer the application to the Reserve Commission for action, shall be made within fifteen (15) days from the date on which the Reserve Committee staff receives a fully complete application.
- d. Type III, Commission Review.
 - i. The owner or the owner's agent (architect, contractor, lessee, etc.) shall apply to the Commission for a review of a proposed regulated action and request a Certificate of Appropriateness or, in the case of demolition, a waiver. An applicant must include within a request for a Certificate of Appropriateness any information required by the Commission as set out by administrative rule. Information required by the Commission will include information responding to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, referenced in WAC 254-20-100 and used by the Washington State Advisory Council on Historic Preservation and by the Commission.

A copy of the standards is available at the County and Town Planning offices.

- ii. The Commission shall meet with the applicant and review the proposal according to their established in rules in either a public meeting or public hearing as required herein. Notice of the Commission meeting or public hearing shall be published in a newspaper of general circulation and the agenda for a public meeting/hearing the properly posted.
- iii. The Commission shall complete its review and make its decision within the timelines established in Island County Code 16.19 for Type II decisions, unless an extension of time is necessary and agreed to by the applicant.
- iv. The Commission reviews the request for Certificates of Appropriateness under the following procedures:
 1. Public Meeting:
 - a. The County/Town Planning Official reviews each application, certifies it complete and, within seven days of certification, causes notice of application to be provided. After the notice of application has been given the application shall be scheduled before the Commission.
 - b. The Commission, after reviewing the application and considering the information and comments received at the public meeting/hearing, shall make a written decision and forward same to the responsible decision maker to grant, grant with conditions, or deny the application based upon the consistency of the proposed action with the requirements of this chapter. The Commission shall make its decision within thirty (30) days of the receipt of a completed application by the Town/County, except that the applicant may waive the deadlines in writing for the Commission to forward its decision to the responsible decision maker for permit issuance, however the applicant must also waive any deadlines on the review or issuance of related permits that are under review by the Town or County.
 2. Public Hearing:
 - a. The Town Planner reviews each application, certifies it complete and, within seven days of certification, causes notice of application to be provided. After the notice of application has been given, a public comment period is provided is provided for those applications requiring a public hearing. The purpose of the public comment period is to provide the opportunity for public review and comment on the application. Comments on the application will be accepted at or any time prior to the closing of the record of the open-record public hearing.
 - b. At the close of the public comment period, the Town or County Planner consults with the Commission regarding a date and time for public hearing. At least fifteen days prior to the public hearing, the Town or County Planner, as appropriate, causes notice of hearing to be provided.

- c. The Town or County Planner, as appropriate, makes a written report regarding the application to the Commission. The Town or County Planner sends as appropriate the application to other Town/County departments, coordinates their review of the application and assembles their comments and remarks for inclusion in the report to the Commission as appropriate. The report of the Town/County Planner contains a description of the proposal, a summary of the pertinent Secretary of the Interior's Standards for Rehabilitation, findings and conclusions relating to those standards and a recommendation. If the recommendation is for approval, the report also identifies appropriate conditions of approval. At least ten days prior to the scheduled public hearing, the report is filed with the Commission as appropriate and copies are mailed to the applicant and the applicant's representative. Copies of the report are also made available to any interested person for the cost of reproduction. If a report is not made available as provided in this subsection, Commission may reschedule or continue the hearing, or make a decision without regard to any report.
 - d. The Commission makes a decision regarding the application within ten days of the date the hearing regarding the application is closed. The time for decision may be extended if the applicant agrees. In making the decision, the Commission may approve, approve with conditions, or deny the Certificate of Appropriateness. The decision shall be in writing to include Findings of Fact and Conclusions of Law.
 - v. Alternative Commission Process:
 - 1. The applicant, the Commission and/or the Reserve Committee may request an open public process to specifically define or establish alternative design considerations for a specific type application not clearly established in or anticipated in the Guidelines. Such alternative guidelines shall be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings.
 - 2. Once the alternative process is completed and the applicant and the Commission are in agreement with the alternative standards as applied to the proposal, the agreed upon standards are attached as a condition to the Certificate of Appropriateness.
 - 3. If no agreement can be reached between the Commission and the applicant, the matter shall be decided by the Commission as hereinabove required.
 - vi. The Commission's decision shall be in writing and shall state the findings of fact, conclusions of law, and reasons relied upon in reaching its decision. A decision denying a Certificate of Appropriateness shall state the specific reasons for the denial and explain why the proposal is inconsistent with the requirements of this chapter and adopted Guideline for the Reserve. Prior to denial the Commission shall notify the

- applicant of its intent and provide the applicant with a 15 day opportunity to submit an amended application which is constant with this chapter and the adopted Guidelines.
- vii. A copy of the Certificate of Appropriateness shall be sent to the responsible Planning Official and mailed to the owner and the applicant at the addresses provided in the application. Notice of the issuance of the Certificate of Appropriateness shall be provided to any person who, prior to the rendering of the decision, made a written request for notice of the decision, or submitted substantive written comments on the application.
 - viii. Following issuance of a Certificate of Appropriateness by the Commission, the Town/County Planner shall evaluate the findings of fact, conclusions of law, and reasons relied upon in reaching the decision. Unless the Town Planner determines (1) that the decision is an erroneous interpretation of the law after affording substantial deference to the Commission with local expertise, or (2) is a clearly erroneous application of the law to the facts, the Town/County Planner shall affirm the Certificate of Appropriateness and attach the findings of fact, conclusions of law, and reasons relied upon in reaching the decision as a condition of the final permit decision, including in the case of demolition or relocation of a historic building or structure, denial of the permit application. If the Planning Official finds that the Certificate of Appropriateness or one or more of its conditions is an erroneous interpretation of the law or erroneous application of the law to the facts, the Town/County Planner shall schedule a meeting with the Commission to resolve the matter and eliminate the erroneous application of law or erroneous interpretation of law before taking any action on the proposal.
- e. Demolition or Relocation of Historic Buildings/Structures.
- i. Ebey's Landing National Historical Reserve has been determined to be historically significant to the nation. In consideration of this, it is the intention of the Reserve Partners to prevent the demolition or relocation of historically significant contributing buildings and structures. A property owner wanting to demolish (in whole or part) or to relocate a historically significant building or structure must receive a Certificate of Appropriateness from the Commission before the action will be approved by the Town/County. The procedures and criteria established in this section may be altered through review and approval of a farm cluster preservation plan under an alternative compliance procedure as set forth in Section 16.12.080.H. Demolition is subject to further review under the State Environmental Policy Act.
 - ii. The owner or the owner's agent shall be required to attend a pre-application conference with the Reserve Committee to initially review the proposed demolition or alternative plans prior to the submittal of an application to the Commission.
 - iii. The Town/County will not accept an application for demolition nor relocation for a period of at least 180 days after the pre-application conference is held. During this time, staff and interested groups will work with the owner to investigate alternatives to demolition or relocation, including (but not limited to) the use of incentives, adaptive re-use, or selling the property.
 - iv. Application Requirements and Procedures

1. Where demolition of a building/structure is sought due to unsafe conditions, the applicant shall supply a report from a Washington-licensed structural engineer that substantiates that the building thereof is imminently dangerous to the public.
2. Where demolition of the building/structure is sought for reasons other than unsafe conditions, the applicant shall supply:
 - a. a report from a State of Washington-licensed structural engineer; and
 - b. a report from a financial analyst or economist with demonstrated competence in the field, demonstrating that maintenance of the building or structure or any important features thereof proposed for demolition will impose an economic hardship upon the owner, rendering it impracticable to renovate, restore or reuse the structure, and rendering it economically infeasible to renovate, restore, or reuse the structure in comparison to the economic value of the proposed redevelopment. The report shall analyze the reasonable economic alternatives to demolition, including redevelopment for uses permitted by Town/County code, and an analysis showing whether the redeveloped property is capable of providing a reasonable economic return upon completion of reasonable renovation or repair activities. The report shall include an analysis of whether or not the preservation of the Historic/structure building would:
 - i. Deprive the Owner of all economically viable uses of the property?
 - ii. Deny or substantially diminish a fundamental attribute of property ownership?
 - iii. Have a severe impact on the landowner's economic interest?
 - iv. The report shall evaluate whether the remainder of the site is capable of economically viable development even if the historic building/structure is required to remain on the site.
3. The Commission may request peer review of the hereinabove required report at the applicant's expense where the Commission deems it to be reasonably necessary to insure the accuracy, effectiveness or objectivity of any of the documents, reports or measures proposed within them. A written determination from the Commission requiring peer review shall include the following information:
 - a. A statement giving the reason(s) peer review is necessary (e.g., errors of fact or law, error in judgment, objectivity, or information or new information);
 - b. A statement of the specific areas of the report believed to be inadequate or in error, or not sufficiently definite to allow meaningful analysis;
 - c. The specific information sought (such as confirmation of the structural deficiencies cited by the report, the

- adequacy of financial estimates given for the renovation, restoration or reuse of the building or structure, feasibility of the proposed replacement structure to actually be built, conflicting evidence, etc.);
- d. Before requiring peer review, the Reserve Commission shall attempt to obtain clarification or new information from the applicant or author of the report addressing issues raised by the director.
 - e. The independent expert shall be a person who has had at least 10 years' experience involved in a profession, business or organization, and who has devoted a substantial amount of his or her experience within those 10 years, to historic preservation issues and in reviewing structural and financial information with respect to older buildings. Examples of relevant professions, businesses, or organizations include, but are not limited to, certified real estate appraisers, architects, bankers, and/or executives or persons in organizations or companies which are substantially involved in evaluating the economics of historic preservation matters.
 - f. The independent expert shall provide the Commission with a written opinion. The opinion shall contain a detailed explanation of the independent expert's recommendations. Notice of the independent expert's recommendations shall be mailed to any person who, prior to the Commission rendering the decision made a written request to receive notice of the decision or submitted written substantive comments on the application.
- v. Decision Criteria.
1. If removal would be detrimental to the historic character of the Reserve, then the application shall be denied unless:
 - a. The denial or partial denial will deprive the owner of reasonable economic use of the property;
 - b. The building, structure, or portion thereof to be removed cannot be adapted for any other use, whether by the owner or by a purchaser, which would result in a reasonable economic return;
 - c. There is no viable or reasonable alternative which would have less impact; or
 - d. The structure is so deteriorated, and there is so little historical fabric, that it would be an inordinate burden to retain the historic, cultural, and architectural significance of the structure though rehabilitation or renovation.
 2. If application of the criteria results in a denial, but the proposed action is necessary to correct an unsafe or dangerous condition on the property, then the Commission may authorize the Planner to authorize to the correction of the emergency conditions.
 3. The Certificate of Appropriateness for demolition may be issued with conditions such as:
 - a. Approval of a replacement building before demolition;

- b. Adequate evidence of financial ability to complete the replacement project; and/or
 - c. A requirement that the building be thoroughly documented through photographs or other methods for permanent retention in local, regional and/or national archives.
 - vi. Expiration -The Certificate of Appropriateness will expire if the work authorized does not begin within 180 days of issuance. The time period may be extended upon written application.
 - vii. Waivers
 - 1. The Commission may issue a Certificate of Appropriateness with a waiver from some or all of the above requirements in cases where it has been demonstrated that:
 - a. Relocation can occur while retaining the same historical context and without damaging the building; or,
 - b. Demolition of a portion of the building would not reduce the building's historic significance and integrity, or,
 - c. Reports from qualified structural engineers and historic preservation experts indicate that the building is so deteriorated and there is so little historic fabric left that its significance cannot be retained.
 - viii. Penalties - If someone demolishes (in whole or in part) or relocates an historically significant building or structure without first receiving the required Certificate of Appropriateness they will be denied approval of any building or development permit on the subject parcel for a period of five years from the date of demolition. The owner may also be subject to a civil penalty of up to 30 percent of the assessed value of the property before demolition. The property owner may also be subject to special valuation disqualification as stated in WAC 458-15-070.
 - f. Appeal of Certificate of Appropriateness or Denial of a Waiver of a Certificate of Appropriateness. The Planner's attachment of the Commission's decision regarding a Certificate of Appropriateness to the associated permit application must be appealed consistent with Town and County standards for the Type of decision. The appeal must be in conformance with the appeal procedures in Town/County Code, as now exists or as hereinafter amended. Subsequent appeals may be appealed to superior court.

F. Alternative Compliance – Farm Cluster Preservation Plan

- 1. Applicability
 - a. Many of the farms within the Reserve contain clusters of historically significant buildings--a house, a barn and various sheds and other outbuildings constructed over a period of time. These farm clusters are an important part of the Reserve's heritage and preserving them is a high priority. The ability of farmers to continue operating as profitable businesses is one of the Reserve's highest priorities. Because agriculture and economics are constantly changing, farms need great flexibility in how they use and maintain their buildings. As needs change, preservation of some structures becomes increasingly challenging.
- 2. Assessment
 - a. The Trust Board Partners want to be proactive in assisting farmers in protecting these farm clusters. The Trust Board and will work with the farm owners, providing technical assistance to assess each of their buildings.
 - b. Questions to be addressed include:

- i What is the condition of each building and structure on the farm?
- ii How are they being used?
- iii Which of the structures are historic (contributing) resources to the Ebey's Reserve historic district?
- iv Which structures are most important in terms of existing and future agricultural uses?
- v Which structures are the most important in terms of preserving the agricultural history, visual landscape and architectural character of the reserve?
- vi If new structures are needed for changing agricultural practices, where should they be sited?
- vii What guidelines are needed so new structures will retain the integrity of the reserve?
- viii What actions are recommended for preservation and continued use of the farm cluster?

2. Farm Cluster Assessment Conditions

- a. This cooperative assessment program will take place in the first three years after the effective date of this section, although the time will be extended if more time is needed to do a good job. It will focus on working farms enrolled in the agricultural tax program established under Chapter 84.34 RCW. However, other farm building clusters would also be eligible if they have at least three contributing structure (excluding the house), preferably including a barn or an unusual structure such as a water tower.
- b. Demolition - Demolitions of farm buildings and structures will be delayed for each farm until its assessment is completed. However, during this delay, demolitions will be permitted in case of emergency or a threat to public safety. Once the assessment of a farm cluster is completed, the Trust Board will work with the property owner to help implement the recommendations outlined in the plan, including developing a long-term plan to stabilize existing conditions and prevent continued deterioration of the high priority structures. Also during this period, the Trust Board partners will work with local, state and national entities to identify incentives and financial support for preservation of these important resources. One part of this effort will be the establishment of the Ebey's Forever Fund, to support property owners' preservation efforts. This new program will have with a particular focus on helping farmers address their farm clusters.

3. Benefits of the Farm Cluster Preservation Program

- a. Technical preservation guidance is provided at no cost to the farmer.
- b. Once a farm's preservation plan is completed, design review will be streamlined for proposed actions such as building modifications, adaptive uses, new construction or demolition.
- c. Farms with a completed plan will be eligible for Ebey's Forever Funding.
- d. The completed plan will also help farmers in pursuing other potential grants or funding sources.
- e. In addition, these farms will also be eligible to be an Ebey's Reserve Preservation Field School project.

These plans may be initiated by the property owner and developed in partnership with the Trust Board staff, , and other support staff. Once completed, each plan will be reviewed and confirmed by a mutual written agreement among the property owner, the Reserve Committee. Once this agreement is reached, the plan would be used by the farmer and the Partners and the Commission as guidance for future repairs and improvements and for design review decisions, including demolition.

G. Procedures for Changes to the Guidelines

Upon recommendation from the Commission, the Partner's Reserve Staff (Planning Director's and Reserve Manager) are authorized to make minor, nonsubstantial changes and administrative processes to the Guidelines without further Town Council/Board of County Commissioner approval or adoption, as follows:

1. The authority to initiate minor changes to the Guidelines granted is in addition to the Planning Director's authority to interpret land development codes. Such changes shall be forwarded to the Legislative bodies and the Town Mayor.
2. Significant or substantive changes to the Guidelines manual shall require approval by the Town Council and Board of County Commissioner and are only effective upon their approval consistent with the terms and conditions of the Interlocal Agreement.

H. Relationship to Zoning and SEPA.

1. Property(ies) designated historic sites shall be subject to the provisions set forth herein, as well as the bulk, use, setback, and other controls of the zoning district in which they are located except as modified below. Nothing contained herein shall be construed to be repealing, modifying or waiving any zoning provisions.
2. Modifications to bulk, use, setback, and other controls – When authorized:
 - a. Preservation and rehabilitation of historic structures that are nonconforming under the Partner's land use and zoning requirements shall be allowed as administrative variances.
 - b. In order to promote and implement the Ebey's Design Guidelines, new construction, including infill, construction may be allowed as administrative variances to the degree necessary to implement the Ebey's Design Guidelines.
3. The responsible official is responsible for review of potential impacts to the historic resources of the Reserve. Under the Washington State Environmental Policy Act (SEPA), development proposals (actions) must be reviewed for potential impacts to these historic properties. While WAC 197-11-800 lists minor new construction as typically being categorically exempt from a SEPA threshold determination, certain types of minor actions are not exempt, e.g. when such potential impacts historical significance properties and structures. The SEPA process shall be completed prior to the review of the Commission and any mitigation required by SEPA incorporated into permit conditions.

I. Political Subdivision, Special Purpose District and Public/Private Utility Projects

1. In order to achieve consistency with these Ebey's Design Guidelines and in order to promote the efficient and effective planning for the capital needs of those Political Subdivisions, Special Purpose Districts and/or Public/Private Utility Owners, hereinafter referred to as Service Providers, that own and operate facilities or plan to own and operate facilities within the boundaries of the Ebey's Landing National Historical Reserve; the Service Provider should initiate the Design Development process for new and/or replacement facilities with the Reserve Committee prior to commencement of formal design development activities and permitting processes as applicable.
2. A pre-application meeting with the Reserve Committee shall be held at least 90 days before the application is submitted and accepted by the Town or County by the Service Provider. This 90 day period may be waived in the case of emergencies and when the Reserve Committee finds the proposal consistent with the purpose and intent of the Design Guidelines.
3. The Service Providers should have a valid adopted comprehensive plan which fulfills the requirements of WAC 365-195-315(1) (a), (b), (c), and (d) and which is consistent with the Town's and County's Comprehensive Plan and the Reserve Management Plan.

J. Designated Landmark Buildings and/or Sites - National Register Of Historic Places

1. The National Historic Preservation Act (NHPA) of 1966 created the current National Register of Historic Places program. NHPA also included provisions known as Section 106 Review that ensure that historic properties listed in or eligible for listing in the National Register are considered during Federal project planning and execution.

2. The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior.

3. Exhibit B is a list by parcel number of properties within the Reserve that are locally designated as landmark buildings and/or sites to include those designated as "contributing" in the Building and Landscape Inventory (1995) prepared for the Ebey's Landing National Historical Reserve and contributing" to the Central Whidbey Historic District. The Town and County Planners are directed to record this attachment as a matter of public record in the Office of the Island County Auditor.

K. Review and Monitoring of Property(ies) for Special Property Tax Valuation.

1. This section implements the local option special valuation tax incentive program as established in Chapter 84.26 RCW. "Special valuation tax incentive program" or "special valuation" means the local option program which makes available to property owners a special tax valuation for rehabilitation of historic property(ies) under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten (10) years, the actual cost of the rehabilitation.

2. Timelines.

a. Applications must be filed with the County Assessor's office and shall be forwarded to the Commission by the assessor within ten (10) days of filing.

b. For applications filed at least thirty (30) days prior to the next regularly scheduled meeting of the Commission, the case may be put on the agenda for that meeting. If there are not thirty (30) days, the case will be scheduled for the next regularly scheduled meeting of the Commission.

c. Applications shall be reviewed by the Commission before December 31st of the calendar year in which the application is made.

d. Commission decisions regarding the applications shall be certified in writing and filed with the assessor within ten (10) days of the decision.

3. Procedure.

a. The applicant files an application for special valuation with the County Assessor's office no later than October 1st preceding the tax assessment year in which they wish to apply. A fee is required as established in the Partner's fee schedule and is payable to the Partner.

b. The assessor forwards the application(s) to the Commission within ten (10) days of receipt of the completed application.

c. The Commission reviews the application(s), consistent with its rules and procedures, and determines if the application(s) are complete and if the property(ies) meet the criteria set forth in WAC 254-20-070(1) and listed in Section 16.12.080(I)(3).

d. If the Commission finds the property(ies) meet all the criteria, then(2) If the Commission determines the property(ies) do not meet all the criteria, then it shall deny the application(s).

e. The Commission certifies its decisions in writing and states the facts upon which the approvals or denial are based and files copies of the certifications with the assessor.

f. For approved applications:

(i) The Commission staff forwards copies of the agreements, applications and supporting documentation (as required by WAC 254-20-090(4) and identified in Sections 16.12.080(I)(3) and 16.12.080(I) (4)) to the County Assessor;

(ii) The Commission staff forwards the signed agreement and application documents to the County Auditor for recording. The applicant shall be assessed fees for

recording as prescribed by the County Auditor and other applicable Town/County Code sections;

(iii) Monitors the property(ies) for continued compliance with the agreements throughout the ten (10) year special valuation period. Monitoring may include an annual site visit by staff or Commission members.

g. The Commission determines in a manner consistent with its rules of procedure, whether or not property(ies) are disqualified from special valuation either because of:

(i) The owner's failure to comply with the terms of the agreement; or

(ii) Because of a loss of historic value resulting from physical changes to the building or site.

h. For disqualified property(ies) pursuant to RCW 84.26.080, the Commission shall notify the owner and assessor in writing and state the facts supporting its findings.

4. Criteria.

a. Historic Property Criteria. The class of property eligible to apply for special valuation in Island County shall mean all property(ies) listed on the National Register of Historic Places, CCHR or property(ies) certified as contributing to local and/or National Register Historic Districts which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW.

b. Application Criteria. Complete applications shall consist of the following documentation:

(i) A legal description of the historic property;

(ii) A copy of the nomination inventory form for the subject property(ies);

(iii) Comprehensive exterior and interior photographs of the historic property before and after rehabilitation. Photographs should be four (4) inches by six (6) inches or five (5) inches by seven (7) inches minimum format either black and white or color, with negatives and must be clearly labeled to identify case, location, subjects and the direction the photograph was taken. Photographs shall include:

(a) Photos taken prior to construction;

(b) Historic photos or other source materials of replicated features; and

(c) A current streetscape.

(iv) Architectural plans or other legible drawings depicting the completed rehabilitation work signed by the architect or draftsman;

(v) Notarized affidavit(s):

(a) Attesting to the actual itemized cost of the rehabilitation work completed prior to the date of application, and

(b) Indicating rehabilitation work was completed within the twenty-four (24) month period of time prior to application for special valuation.

Documentation of both must be made available to the Commission;

(vi) Samples of utilized materials may be required by the Commission;

(vii) Other information as required by staff or the Commission at a preapplication meeting.

c. Property Review Criteria. In its review the Commission shall determine if the property(ies) meet all the following criteria:

(i) The property is historic property which is designated to the local and/or national registers;

(ii) The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) (and identified in rules and procedures of this chapter) within twenty-four (24) months prior to the date of application; and

(iii) The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington

State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1) and listed in rules and procedures of this chapter).

d. Rehabilitation and Maintenance Criteria. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the Commission as minimum requirements for determining whether or not a historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.

5. Agreement. The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the Commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).

6. Appeals. Any decision of the Commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to superior court under RCW 34.04.130 in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization.

L. Interlocal Agreements.

1. Interlocal agreements may be established in accordance with Chapter 39.34 RCW between Town, the County, and the Trust Board for historic preservation services.

2. The Commission may act on behalf of any incorporated town/city within Island County, under authority of a valid interlocal agreement. The interlocal agreement must specify if the Commission's decision-making authority

M. Disclosure Statement

Pursuant to the requirements of this chapter, no person shall sell, lease, or offer for sale or lease any property within the Ebey's Landing National Historical Reserve and subject to the design standards and protections required by this section, unless the prospective buyer or lessee has been given notice substantially as follows.

The Seller/Selling Agent discloses the following information and Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

To: _____

The Property at _____ (Assessor's Parcel # _____) is located within the Ebey's Landing National Historical Reserve. The owners of property within the Ebey's Reserve have a unique responsibility and challenge in protecting the Reserve's cultural landscape. The Reserve is a complex combination of buildings, structures and landscape features (both natural and manmade). Its character ranges from a town with thriving commercial and residential neighborhoods and a valuable shoreline with dramatic vistas to prairies with working farms and suburban subdivisions. In recognition of its importance, the Reserve is a congressionally-authorized unit of the National Park Service.

Such a fragile resource can be easily lost through incremental changes and as a result Island County and the Town of Coupeville have adopted standards to protect historic buildings, the landscape, views, and vistas. Each new house, each demolition, each new roadway diminishes the historic character.

Before purchasing or leasing the above property, you should consult with the Island County Planning Department, the Town of Coupeville Planning Department and research and review *The Ebey's Landing National Historical Reserve Design Guidelines* and

associated procedures and regulations as well as any previously issued permits to determine restrictions, if any, which have been placed on the subject property.

I/WE acknowledge receipt of a this disclosure:

Buyer _____

Date: _____

Buyer _____

Date: _____

I acknowledge receipt of a copy of this Signed Statement

Agent (Broker) representing Seller

_____ Date: _____

I acknowledge witnessing the Signing of this Statement

Agent (Broker) representing Buyer

_____ Date: _____

N. Penalties and Enforcement

The County and Town of Coupeville have established enforcement proceeding in Coupeville Town Code 16.06.080. Similarly Island County has established enforcement proceeding in Island County Code 16.06.080. Additional enforcement provisions are also adopted herein for the unlawful demolition of a historic building or structure. Enforcement actions as related to enforcement of the provisions of the Unified Code shall be prioritized based upon the impact to the historical resources involved.

O. **Severability.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provisions to other persons or circumstances is not affected.

**EXHIBIT A
ISLAND COUNTY
Historic Sites**

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
Zylstra/Sherod House	1173 Zylstra Rd	R13219-478-3400
Hordyk/Vander Voet Farm	1212 Monroe Landing	R13215-043-0900
Ft Ebey		
Frank Pratt House	164 Cemetery Rd	R13105-282-4130
Reuble Farm	556 Ft Casey Rd	R13110-316-2921
Robart Cottage & Bungalow	1508 Penn Cove Rd	R13221-050-1250
Steadman House	13254 SR 20	S6370-00-61005-0
San De Fuca School	650 Zylstra	S8060-00-14001-0
Arnold Farm	1948 Arnold Rd	S8060-00-66000-0
Jacob Ebey House/Sheepbarn	Cemetery Rd	R13105-270-3320
Sherman Hog Barn/Engle Squash Barn	1509 Hill Rd	R13109-147-2530
Charlie Mitchell Place	839 West Beach	R03224-040-3200
Vande Werfhorst	895 Monroe Landing	R13221-145-4621
Still Log Cabin	1973 Penn Cove Rd	S8060-00-0E012-0
San De Fuca Sunday School	734 Wall	S8060-00-09032-0
Armstrong/Scoby House	2029 Armstrong	S8060-00-17002-0
Captain R.B. Holbrook House	683 Power Rd	S8060-00-19004-1
Lesourd/Sherman Farm	225 Ebey Rd	R13104-118-2490
Penn Cove Pottery/Hingston Store/Trumbell Store	26184 SR 20	S8060-00-10001-0
Lupien House	1084 Monroe Landing	R13222-386-0380
Van Dam Place	2421 Van Dam Rd	R03224-494-5000
Art Holmburg/Darst Rental House	2491 Libbey	R03225-234-4480
Libbey Ranch	2648 El Sol Pl	R03225-355-2100
John Kineth Farmhouse	19162 SR 20	R13101-287-1000
Sam Keith House	338 Ft Casey Rd	R13103-078-2490
Wiley Place	280 Ft Casey Rd	R13103-157-2690
Engle Farm (Crockett)	1167 Terry Rd	R13103-361-0370
Engle Farm (Rockwell)	144 Ft Casey Rd	R13103-093-0460
Frank Pratt House	164 Cemetery Rd	R13105-282-4130
Sunnyside Cemetery/Davis Blockhouse	90 Cemetery Rd	R13105-355-4490
Hancock Granary/Chinese Tenant House	1520 Hill Rd	R13109-240-1420
Ed Jenne House	538 Engle	R13109-330-4242
Old Anderson Place	710 Ft Casey Rd	R13110-085-1980
Grove Terry Place		R13234-035-3350
Ft Casey Pump House	434 Wannamaker Rd	R13114-250-4610
Ft Casey Storage Buildings	1044 Ft Casey Rd	R13115-243-1470
Charles Grimes House	1273 Monroe Landing	R13216-093-5110
J. Neinhuis Place	1025 Zylstra Rd	R13219-286-3570
Mcwilliams BUNGALOW	935 View Ridge	R13222-114-3380
Libbey House	2181 Madrona Way	R13230-154-2610

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
Old County Courthouse/Grennan & Cranney Store	25248 SR 20	R13230-167-2640
Melvin Grasser House	Madrona Way	R13230-215-2340
Pratt Boathouses	1966 Madrona Way	R13232-131-0520
C. Wanamaker House	635 Wanamaker Rd	R13114-333-2200
Neinhuis/Leach Place	26860 SR 20	R13220-188-3000
J. Gould House/Miller House	433 Wannamaker Rd	R13114-120-5030
Abbott House	1456 Black Rd	R13233-096-1940
Col. W. Crockett Farmhouse	1056 Crockett Farm	R13115-220-2200
Morris Place	2494 Libbey Rd	R03225-297-4170
Thomas/Sullivan House	171 Ft Casey Rd	R13103-332-1790
Strong House	25 Quail Trail Ln	R13102-500-0500
Tuft House	46 Terry Rd	R13104-464-2270
Jacob Ebey House/ Blockhouse	Cemetery Rd	R13105-270-3320
R.C. Hill House	1453 Hill Rd	R13109-149-1990
Gilbert Place/Eggerman House	757 Eggerman Rd	R13111-060-0100
Power Place	865 Zylstra Rd	R13219-100-1950
Weidenbach House	1044 Monroe Landing	R13222-320-0550
Arnold/Grasser Place	1764 Penn Cove Rd	R13220-030-2950
John Gould House/Smith Farm	399 S Ebey Rd	R13104-145-0170
Cook House/Sherman Place	44 S Sherman Rd	R13105-478-4660
Old Hunting Lodge	1608 Hill Rd	R13109-278-0040
Monroe House	1293 Penn Cove Rd	R13221-061-3980
Gallager Place/Al Sherman Farm	302 Engle Rd	R13104-098-3880
Lesourd/Sherman Farm	209 S Ebey Rd	R13104-246-2030
Harmon/Pearson/Engle House	89 S Ebey Rd	R13104-399-2580
Ferry House	455 S Ebey	R13108-364-4680
Ralph Engle Farm		R13109-425-1470
Gillespie Farm	593 FT Casey Rd	R13110-338-3570
Sam Crockett House	825 Wannamaker Rd	R13115-345-4930
Samuel Hancock House	395 Engle Rd	R13109-465-4760
Terry House/Lee James Property	1595 SR 20	R13233-054-1920
H.H. Rhodes Place	2090 Arnold Rd	R13219-061-4150
Glazier-Herrett House	82 S Ebey Rd	R13104-419-2260
Old Al Comstock Place -Barn	Engle Rd	R13109-157-4650
Old Al Comstock Place -Outbuildings	Engle Rd	R13109-157-4650
Ft Casey – Observation Bunker		
Ft Casey – Searchlight Platform		
Ft Casey – Searchlight Generator Bldg		
Ft Casey – Searchlight Platform		
Ft Casey – Rifle Range		
Ft Casey - Inn		
Fisher/Messmer House	2185 Madrona Way	R13230-099-2780

EXHIBIT A
TOWN OF COUPEVILLE
Historic Sites

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
A.B.Coates House	608 S Main St	R13104-335-3820
Sergeant Clark House	301 S Main St	R13104-493-4210
Reverend Lindsey House	206 N Main St	R13233-180-3950
Congregational Church	207 N Main St	R13233-184-4240
Joseph Libbey House	308 N Main St	R13233-214-3740
Jacob Jenne House	602 N Main St	R13233-277-3850
Dr. White's Office	602 N Main St	R13233-277-3850
Highwarden House	604 N Main St	R13233-282-3880
Methodist Church	608 N Main St	R13233-308-3740
John and Jane Kineth, Sr. House	702 N Main St	R13233-308-3870
James Gillespie House	704 N Main St	R13233-308-3870
Dr. White House	605 NW Madrona Way	R13233-322-1850
Ernest Watson House	5 NW Eighth St	R13233-323-3730
Alvah D. Blowers House	710 N Main St	R13233-326-3900
Masonic Lodge No. 15	804 N Main St	R13233-344-3870
Horace Holbrook House	805 NW Alexander St	R13233-352-3600
Island County Bank	5 NE Front St	R13233-375-4150
Col. Granville Haller House	1 NE Front St	R13233-379-4060
John Robertson House	5 NW Front St	R13233-380-3880
Tom Howell's Barbershop	7 NW Front St	R13233-385-3830
Alexander Block House	906 NW Alexander St	R13233-397-3390
Samsel/Zylstra Law Office	6 NE Front St	R13233-397-4150
"Fairhaven"	911 NW Colburn St	R13233-398-3140
Puget Race Drug Store	2 NW Front St	R13233-400-4030
Sedge Building	4 NW Front St	R13233-405-3990
Whidbey Mercantile Company	8 NW Front St	R13233-408-3870
John Robertson's Store	10 NW Front St	R13233-409-3800
Coupeville Cash Store	12 NW Front St	R13233-410-3750
Benson Confectionery	16 NW Front St	R13233-411-3690
Wharf Warehouse and Dock	NW Front St and NW Alexander St	R13233-413-3650
Gillespie Meat Market	24 NW Front St	R13233-414-3550
Terry's Dryer/Gillespie Livery	22 NW Front St	R13233-414-3580
Thomas Coupe House	504 NE Ninth St	R13234-370-0150
Fred Nuttall House	801 NE Ninth St	S6005-00-06005-0
Island County Abstract Office	21 NW Front St	S6025-00-07003-0
Island County Times Building	19 NW Front St	S6025-00-07004-0
Judge Still Law Office	17 NW Front St	S6025-00-07005-0
Elkhorn Saloon	15 NW Front St	S6025-00-07006-0
Glenwood Hotel	1 NW Front St	S6025-00-18001-0
E.O. Lovejoy House	1209 NE Leisure St	S6310-00-00011-0
Captain Clapp House	307 NE Front St	S6415-00-07004-0

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
Capt. Thos. Kinney House	207 NE Front St	S6415-00-08004-0
Jacob Straub House	202 NE Ninth St	S6415-00-08008-0
First Methodist Parsonage	104 NE Ninth St	S6415-00-09005-0
Albert Kineth House	703 NE Haller St	S6415-00-19000-0
James Zylstra House	101 NE Seventh St	S6415-00-22001-0
Todd-Lovejoy House	105 NE Seventh St	S6415-00-22007-0
John Gould House	501 NE Ninth St	S6425-00-02001-0
Charles Angel House	605 NE Gould St	S6425-00-04001-0
Fullington House	502 NW Coveland	S7070-00-11000-0
Will Jenne House	508 S Main St.	S7246-00-00012-0
Bearss House	707 S Main St	R13104-280-4190
James Wanamaker House	607 S Main St	R13104-331-4200
Frain House/Burton Engle House	197 SW Terry Rd	R13104-373-3330
Reuble Squash Barn	123 SE Terry Rd	R13104-419-4450
Pat's Place/Tyee	403 S Main St	R13104-427-3800
Dixon/Partridge House	404 S Main St.	R13104-428-3940
Chapman Rental House	402 S Main St	R13104-436-3940
Frank Newberry House	305 S Main St	R13104-471-4210
Nichols House	208 S Main St	R13104-490-3930
Clark House	105 NE Third St	R13233-169-4470
Higgins House	506 N Main St	R13233-264-3900
Carl Gillespie House	606 N Main St	R13233-286-3810
Black House	701 NW Madrona Way	R13233-313-1720
Heckenbury House	803 NW Grace St	R13233-344-3760
"The Bungalow"/Flora A.P. Engle House	808 N Main St	R13233-358-3900
Cushen House	15 NW Coveland St	R13233-363-3550
Duvall House	302 NW Front St	R13233-409-2860
Chris Solid House	603 NE Ninth St	R13234-340-0440
Newcomb Property	East of 1104 NE Leach	R13234-434-1330
Bergman House	1306 NE Parker Rd	R13234-479-3170
Chromy House	707 NE Ninth St	S6005-00-04002-0
Howard House/Lindsey House	902 NE Ninth St	S6005-00-05002-0
Pontiac Dealership	105 NW Coveland St	S6025-00-06001-3
Post Office	11 NW Front St	S6025-00-07008-0
Old Fire Hall	903 NW Alexander St	S6025-00-07009-0
Telephone Exchange Building	902 N Main St	S6025-00-18001-0
Coupeville Courier Printing Office	306 NE Ninth St	S6415-00-07006-0
Conard House	902 NE Kinney St	S6415-00-08005-0
Leach House	801 N Main St	S6415-00-11003-0
Methodist Parsonage	5 NE Ninth St	S6415-00-11007-0
Thomas Griffith House	101 NE Ninth St	S6415-00-12001-0
Starks House	203 NE Ninth St	S6415-00-13003-0
Hesselgrave Rental House	205 NE Ninth St	S6415-00-13003-0
Ives House	803 NE Haller St	S6415-00-13007-1
Stark House	801 NE Haller St	S6415-00-13008-1
Clapp House	305 NE Ninth St	S6415-00-14002-0

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
Ervin Rental House	401 NE Ninth St	S6415-00-15001-0
Coupeville Town Hall	4 NE Seventh St	S6415-00-22001-0
Courthouse Vault	Behind 202/204 NE 6 th St	S6415-00-23006-0
Morris House	405 NE Center St	S6415-00-32002-0
Ed Clark House	403 NE Center St	S6415-00-32003-0
Polly Harpole's Maternity Home	404 NE Haller St	S6415-00-32006-0
Tom Howell House	401 NE Center St	S6415-00-39004-0
Williams House	1 NE Fourth St	S6415-00-40001-0
Strong House	707 NE Lindsay St	S6420-00-00005-2
King House	706 NE Lindsay St	S6420-00-00006-1
Benson House/Bunting House	805 NE Leach St	S7215-00-01001-0
Mock House	801 NE Leach St	S7215-00-01004-0
Johnson Rental House/Howe	701 NE Leach St	S7215-00-02005-0
Franzen House	704 S Main St	R13104-310-3980
A.S.Coates House	702 S Main St	R13104-323-3820
Prairie Center Mercantile	408 S Main St	R13104-409-3940
Pickard House	401 S Main St	R13104-460-4100
Babcock House	106 S Main St	R13233-008-3820
Barrett House	107 S Main St	R13233-020-4350
Coupe-Slaughter House	301 NE Third St	R13233-183-5050
Libbey House	302 N Main St	R13233-193-3970
Schroeder Rental House	709 NW Madrona Way	R13233-305-1520
Sill House/Alexander House	180 NW Coveland St	R13233-380-3350
Bob Black House	903 NE Seventh St	R13234-310-1560
Solid Grainery	704 NE Otis St	R13234-322-0440
Benson House	1008 NE Leach St	R13234-413-1300
Newcomb House	1104 NE Leach St	R13234-434-1330
Hughes House	1304 NE Parker Rd	R13234-456-3010
Bradt House	1302 NE Parker Rd	R13234-486-2900
Susie & Aleck House	407 NW Coveland St	S6025-00-02001-0
Johnson Rental House	403 NW Coveland St	S6025-00-02003-0
Cushen Ford Garage	23 NW Front St	S6025-00-07001-0
Wangness House	901 NE Center St	S6415-00-09003-0
Wanamaker House	801 NE Center St	S6415-00-12003-0
Hesselgrave House	808 NE KinneySt	S6415-00-13004-0
Edwards House	301 NE Ninth St.	S6415-00-14001-0
Dominick House	401 NE Eighth St	S6415-00-16001-0
A. Bowers House	307 NE Eighth St	S6415-00-17003-0
Bob Cushen House	205 NE Eighth St	S6415-00-18003-0
Ceci House	705 NE Haller St	S6415-00-18007-1
McCutcheon Honeymoon Cottage	302 NE Sixth St	S6415-00-24007-0
Meadors/Peralta House	401 NE Sixth St	S6415-00-26001-0
Hanks House	101 NE Fourth St	S6415-00-39001-0
Clark House	505 NE Ninth St	S6425-00-02003-0
Pinkston House	502 NW Broadway St	S7070-00-03007-0
Powell House	708 NW Broadway St	S7070-00-07001-2
Deasy House	305 NW Coveland St	S7070-00-10004-0
Dean House	502 NW Madrona Way	S7070-00-10005-0

STRUCTURE NAME/SITE	ADDRESS	PARCEL NO
Abbott House	901 NE Eighth St	S7215-00-02001-0
Pennington Farm House	501 NE Otis St.	S8270-00-0E011-0