



COUPEVILLE PLANNING COMMISSION
Island County Annex Building - Commissioners Hearing Room
(1 NE 6th Street, Coupeville)
April 7, 2026
6:00 pm

CALL TO ORDER

LAND ACKNOWLEDGEMENT

The Town of Coupeville is located on the homelands of the Lower Skagit People. For thousands of years, Coast Salish tribes have stewarded the lands, waterways, plants and animals in our region. We pay respect to the elders and their families, past, present, and emerging for they hold the memories, traditions and culture of their people. The Town of Coupeville is committed to respecting this long history as we honor and acknowledge the continued presence and rights of all Indigenous people. We will advocate for and partner with our Indigenous neighbors as we continue to work together as an inclusive community.

CHANGES AND APPROVAL OF AGENDA

APPROVAL OF MINUTES:

- March 3, 2026

PUBLIC INPUT

NEW BUSINESS

- Selection of Chair & Vice Chair

PUBLIC HEARING

- None

DISCUSSION

- Supportive Housing
- MOA

COMMISSIONER COMMENTS

PUBLIC INPUT

ADJOURNMENT

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2026 Planning Commission Schedule *(Tentative / Subject to change):*

Date (1 st Tuesday)	Topic
January 6, 2026	New Planning Commissioners • Ricardo Reyes • Brandon Roos Project Timeline • Comprehensive Plan - Periodic Update • Other Code Updates Periodic Update • Zoning Changes
February 3, 2026	Countywide Planning Policies Portable Signs
March 3, 2026	Countywide Planning Policies - Recommendation MOA
April 7, 2026	Supportive Housing MOA
May 5, 2026	Density Bonus for Religious Organizations Temporary Homeless Encampments – Religious Organizations

**TOWN OF COUPEVILLE
PLANNING COMMISSION
Regular Meeting
March 3, 2026
6:00pm**

CALL TO ORDER

At 6:01pm, Chair Michelle Cook called the meeting to order and read the Land Acknowledgement.

PRESENT

Commission Chair Michelle Cook, Commissioners Ricardo Reyes, Von Summers, Brandon Roos, and Susan Upchurch

STAFF PRESENT

Community Planning Director Josh Pitts, and Assistant Planner Lisa Walsh

APPROVAL OF AGENDA

Action: A motion was made by Commissioner Summers, seconded by Commissioner Reyes, to approve the agenda of the March 3, 2026 Regular Meeting as submitted. The motion passed unanimously.

APPROVAL OF MINUTES

Action: A motion was made by Commissioner Summers, seconded by Commissioner Reyes, to approve the minutes of the February 3, 2026 Regular Meeting as submitted. The motion passed unanimously.

AUDIENCE INPUT

- Jeanette Gulbranson addressed the Commission about the survey that went out to the community. Gulbranson would like to know the results of the survey.
- Will Lyle addressed the Commission and asked that the Commission allow for audience input after the Discussion and Commissioner Comments portions of the meeting.
- Susan Asplin addressed the Commission to say thank you for the survey that went out to the community. Susan does not want the MOA to change, and is against duplexes with ADU's, as it could change the character of the neighborhood.
- Charmaine Hartshorn addressed the Commission about the MOA. Charmaine asked for drawings of the potential changes.
- Kim Bepler addressed the Commission to ask that Commissioner Reyes recuse himself.
- Mark Bepler addressed the Commission to ask that a midway solution to the MOA amendment be suggested.
- David Asplin addressed the Commission to ask what other options are available for the MOA amendment.

NEW BUSINESS

Resolution 26-02 Adopting Countywide Planning Policies

Action: A motion was made by Commissioner Summers, seconded by Commissioner Upchurch, based on the foregoing findings to recommend the Town Council approve, by resolution, the amended and updated Countywide Planning Policies. The motion passed unanimously.

DISCUSSION

Memorandum of Agreement

Community Planning Director Pitts led a Discussion with the Commission about possible amendments to the Memorandum of Agreement with Cecil and Cheryl Stuurmans. Pitts went over the results of the survey that was sent to residents within the MOA.

Six amendment options were presented. Commissioners asked clarifying questions about the different MOA options, and about lot coverage.

ADJOURNMENT

At 7:34pm, Chair Cook adjourned the meeting.

Respectfully submitted,

COMMUNITY PLANNING DIRECTOR

Deputy Clerk Chris Jolly

Josh Pitts

TOWN OF COUPEVILLE

MEMORANDUM

COMMUNITY PLANNING DIRECTOR STAFF REPORT

DATE: April 3, 2026
TO: Coupeville Planning Commission
FROM: Josh Pitts, Community Planning Director
RE: Supportive Housing

INTRODUCTION

Following the Washington State Department of Commerce's review of the Town's draft Comprehensive Plan (dated November 26, 2025), staff have prepared a DRAFT Supportive Housing Code (Chapter 16.11) for your review and consideration. Commerce's comments, informed by the Periodic Update Checklist (July 2024), Expanded Housing Checklist, and [Supportive Housing Types Review Checklist](#), identified the need for clearer development regulations addressing emergency housing and shelters, as well as supportive and transitional housing.

These supportive housing types include indoor emergency shelter, indoor emergency housing, transitional housing, and permanent supportive housing. [House Bill 1220](#) substantially amended where these housing types must be allowed within cities and updated housing-related provisions of the Growth Management Act, specifically [RCW 36.70A.070\(2\)](#). Additionally, recent [House Bill 2266](#) further standardized the permitting process for supportive housing for all jurisdictions planning under [RCW 36.70A.040](#).

While the Town could meet minimum requirements by permitting these uses outright, staff determined that adopting clear and reasonable standards better ensures compliance with the Washington State Growth Management Act and other laws.

COMPREHENSIVE PLAN AND STATE REQUIREMENTS

Washington State RCW

Commerce identified several areas where the Town's development regulations should be revised for consistency with state law:

- Supportive housing types must be defined consistent with [RCW 36.70A.030](#) and [RCW 84.36.043](#).
- Emergency housing and emergency shelters must be allowed in all zones where hotels are permitted (or within a majority of zones within one mile of transit), pursuant to [RCW 35A.21.430](#) and [RCW 35.21.683](#).
- Permanent supportive housing and transitional housing must be allowed in all zones where residential uses or hotels are permitted, pursuant to [RCW 35A.21.430](#) and [RCW 35.21.683](#).
- Regulations must not impose different or more burdensome requirements on supportive or transitional housing than those applied to housing generally, consistent with [RCW 36.130.020](#).

The draft code has been structured to directly address each of these requirements.

Comprehensive Plan

The proposed regulations implement the Housing Element by:

- Expanding housing options for individuals experiencing homelessness or housing instability;
- Ensuring zoning consistency;
- Supporting equitable access to housing types; and
- Aligning local development regulations with state mandates under the Growth Management Act.

SUPPORTIVE HOUSING CODE

Overview

Chapter 16.11 will establish a comprehensive regulatory framework for supportive housing, including emergency housing, emergency shelters, permanent supportive housing, and transitional housing. The purpose is to provide clear, predictable, and not unduly burdensome standards while ensuring consistency with state law and the Comprehensive Plan.

The code defines each housing type using definitions based on the Revised Code of Washington (RCW), including a revised definition of “emergency shelter” that explicitly includes day and warming centers, consistent with Commerce’s recommendation.

General Requirements

The code ensures that supportive housing is regulated as a residential use and subject to the same development, design, and permitting standards as other residential uses in the same zoning district.

Key provisions include:

- No additional permitting barriers (e.g., conditional use permits) unless required for similar residential uses;
- No spacing, caps, or concentration limits unless applied equally to all housing types; and
- Compliance with all applicable building, health, and safety regulations.

Emergency Housing and Emergency Shelters

The proposed code amendment establishes additional submittal requirements for indoor emergency shelters and indoor emergency housing, consistent with state law, to ensure adequate operational planning and community coordination prior to occupancy. In addition to the general development standards, the Town may require the project sponsor or managing agency to provide a written certification confirming that specified actions have been completed during the period between development permit approval and issuance of a certificate of occupancy.

These actions include identifying the facility and managing entity, describing any co-located programs and associated licensing, providing notice to nearby residents, conducting multiple

community meetings, and designating an emergency point of contact. The certification must also document that the sponsor or managing agency has adopted operational policies addressing key areas such as health and safety, admissions and population served, program exit procedures, complaint resolution, compliance with applicable safety standards, and staffing practices appropriate to the type of housing provided.

Overall, this provision is intended to ensure that indoor emergency housing and shelter facilities are established with clear operational protocols, appropriate oversight, and proactive community engagement.

CONCLUSION

The proposed Supportive Housing Code responds directly to Commerce’s review comments and aligns the Town’s development regulations with current Washington State requirements. It establishes a clear, consistent framework that both facilitates needed housing types and ensures appropriate standards for health, safety, and neighborhood compatibility.

Staff recommends that the Planning Commission review the draft code and provide feedback and direction to staff as this moves forward to discussion with the Town Council. Staff is available to answer questions as the Planning Commission deliberates on this important component of the Comprehensive Plan update.

Attachments

1. 16.11 DRAFT code
2. Department of Commerce Comments

16.11.010 Purpose and Intent.

- A. The purpose of these regulations is to provide clear and reasonable standards for the safe operation and appropriate siting of supportive housing, so as to protect public health and safety for both facility residents and the broader community, while being consistent with Washington State law and the Town's Comprehensive Plan.
- B. This chapter is intended to:
 - 1. Ensure compliance with the Washington State Growth Management Act and other laws.
 - 2. Support implementation of Coupeville's comprehensive plan.
 - 3. Support the development of emergency housing, emergency shelters, permanent supportive housing, and transitional housing consistent with best practices for these development types to help address local housing needs.
 - 4. Establish standards that are clear, predictable, and unduly burdensome.

16.11.020 Definitions

For the purposes of this title, the following definitions apply:

"Emergency Housing" is defined, according to RCW 36.70A.030, as temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

"Emergency Shelter" is defined, according to RCW 36.70A.030, as a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

"Permanent Supportive Housing" Permanent supportive housing (PSH) is defined, according to RCW 36.70A.030, as subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

"Transitional Housing" Transitional housing (TH) is defined, according to RCW 84.36.043, as a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

"Supportive Housing" or "STEP Housing" means a collective term that includes emergency housing, emergency shelters, permanent supportive housing, and transitional housing in permanent structures.

16.11.030 Applicability

- A. Supportive housing is regulated as a residential use unless otherwise specifically provided in this title.
- B. Permanent supportive housing shall be permitted in zoning districts where residential dwelling units or hotels are permitted, consistent with Washington state law.

-
- C. Transitional housing shall be permitted in zoning districts where residential dwelling units or hotels are permitted, consistent with Washington state law.
 - D. Emergency housing shall be permitted in zoning districts where hotels are permitted, consistent with Washington state law.
 - E. Emergency shelters shall be permitted in zoning districts where hotels are permitted, consistent with Washington state law.
 - F. Supportive housing shall not be subject to spacing requirements, caps, or concentration limits unless such requirements apply equally to other residential uses in the same zoning district.
 - G. This section does not include regulations for special needs lodging and care facilities regulated by CTC 16.10.100.

16.11.040 Permit Process

- A. Supportive housing shall not be subject to design, development, or operating standards, conditions, or requirements that are more restrictive than those imposed on other residential or lodging uses of a similar type and scale within the same zoning district. Development regulations referenced herein are those contained in CTC Title 16 – Development Regulations.
- B. Supportive housing shall be subject only to those development permits and environmental review processes that apply to other residential or lodging uses of a similar type and scale within the same zoning district, unless otherwise required by state law.
- C. Supportive housing shall not require a conditional use permit, special use permit, or public hearing unless such process is required for other residential uses of the same type in the same zoning district.

16.11.050 General Requirements

- A. Facility Operations
 - 1. The sponsor or managing agency shall comply with all federal, state, and local laws and regulations.
 - 2. All supportive housing developments shall comply with all applicable building, fire, health, and safety regulations.

16.11.060 Additional Requirements for Emergency Housing and Emergency Shelters

In addition to the requirements under Section 16.11.040, for indoor emergency shelters and indoor emergency housing, the Town may require the sponsor or managing agency to submit a written certification to the Town, verifying that the following applicable requirements have been met for the period between approval of the development permit and issuance of the certificate of occupancy:

- A. Provided the name, if any, of the facility and the name and headquarters address of the managing entity;
- B. Provided a description of any other programs operating in the building and copies of the applicable licenses and certifications held by the program;
- C. Notified residents within 500 feet of the indoor emergency shelter or indoor emergency housing;
- D. Conducted more than one community meeting;
- E. Designated at least one point of contact authorized to make decisions and take corrective action in the case of an emergency, and provided at least one telephone number to be used in emergencies; and
- F. Provided documentation of the sponsor's or managing agency's operational policies or procedures for:
 - 1. Promoting and addressing health and safety inside the building and in areas immediately adjacent to the building;

-
2. Admissions, including a description of the populations the project will serve and potential sources of referral;
 3. Program exit or transfer;
 4. Handling complaints and grievances from occupants;
 5. Health, fire, safety, and occupancy; and
 6. Staffing to provide services and resources to the population being served comparable to standard or customary practices for the particular type of housing being provided. The staffing policy or procedure may include, but is not limited to, the number of staff or volunteers present during daytime and nighttime operations, staff or volunteer training, and other processes to provide services and resources to the populations being served.

DRAFT



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • 360-725-4000
www.commerce.wa.gov

November 26, 2025

Town Council
Town of Coupeville
c/o Joshua Engelbrecht

Sent via electronic mail: planner@townofcoupeville.org

Re: Review of Coupeville draft comprehensive plan

Dear Town Council,

Thank you for the opportunity to comment on the Town of Coupeville's (Town) draft comprehensive plan and development regulations. We appreciate the ongoing coordination with our agency as you work to achieve the community's vision consistent with the goals and requirements of the Growth Management Act (GMA). Growth Management Services received the proposed amendment on September 30, 2025, and processed it with material identification number 2025-S-9947.

Your submission represents a great deal of work towards the 2025 periodic update of your comprehensive plan, due December 31, 2027.

We have reviewed your submittal using Commerce's [Periodic Update Checklist-Updated July 2024](#), the [Expanded Housing Checklist](#), and the [Supportive Housing Types Review Checklist](#). We encourage you and your community to consider the following as you finalize your drafts:

Comprehensive Plan:

1. Housing Element

- a) *Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing. [RCW 36.70A.070\(2\)\(c\)](#) amended in 2021, [WAC 365-196-410\(e\) and \(f\)](#)*

The city has identified that allocated housing needs for housing affordable to households below 120% AMI, as well as overall housing needs, cannot be met under the

current zoning. We recommend identifying, evaluating, and adopting updated zoning or development regulations which can accommodate projected needs. For guidance on completing this requirement, please see chapter 3 of [Guidance for Updating Your Housing Element](#) (pg. 40-50) or reach out to the housing policy team for technical assistance.

If the changes listed in the “adequate provisions” section are intended to address this deficit, we recommend estimating the unit capacity that will be added and demonstrating that it is sufficient to meet identified housing needs at all income levels, as well as for permanent supportive housing and emergency housing.

- b) *Adequate provisions for existing and projected housing needs for all economic segments of the community.* [RCW 36.70A.070\(2\)\(d\)](#) amended in 2021, [WAC 365-196-010\(q\)\(ii\)](#), [WAC 365-196-300\(f\)](#), [WAC 365-196-410](#) and see Commerce’s Housing Action Plan (HAP) guidance: [Guidance for Developing a Housing Action Plan](#)

Based on our review, we found an evaluation of barriers to affordable housing and actions to address those barriers included in the draft housing element appendix (pg. 81 of Vol 2). We recommend expanding on this evaluation by identifying the number of housing units that will likely require subsidies or incentives to be built and the gaps in local funding needed to achieve these affordable housing needs. We also recommend documenting which local funding tools or incentives are already available and in use and which tools could be implemented to help close the funding gap identified. Guidance on this can be found in chapter 4 of [Guidance for Updating Your Housing Element](#) (pg. 60-62) and [Appendix B: Adequate provisions checklist](#) (Exhibit B5). For more detailed guidance pertaining to adequate provisions, local governments should consult with their legal counsel.

- c) *Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments.*

In our review, we did not find identification of areas at risk of residential displacement, as required by [RCW 36.70A.070\(2\)\(g\)](#). To better align with this requirement, we recommend including a displacement risk map – such as [Commerce’s Draft Displacement Risk Map](#) – or a discussion of areas that may be at risk of displacement.

Development Regulations:

1. *Emergency shelter (ES) is defined as a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.* [RCW 36.70A.030](#)(15)

The draft definition of emergency housing does not include day and warming shelters. We recommend adding a definition of “emergency shelter” consistent with the definition in [RCW 36.70A.030\(15\)](#).

2. *City code must allow indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed. A city may choose the alternative option to allow indoor emergency shelter and indoor emergency housing in a majority of zones within one-mile of transit. [RCW 35A.21.430](#), [RCW 35.21.683](#).*

Emergency housing and shelters are not allowed in the General Commercial (GC) zone, which allows hotels. For consistency with [RCW 35.21.683](#), and alignment with the land capacity analysis performed in the housing element for consistency with [RCW 36.70A.070\(2\)\(c\)](#), we recommend amending your code to allow emergency housing and shelters in the GC zone.

3. *City code must allow permanent supportive and transitional housing in any zones which residential dwelling units or hotels are allowed. [RCW 35A.21.430](#), [RCW 35.21.683](#).*

Permanent supportive housing (PSH) and transitional housing are not allowed in the Residential Reserve District (RR), Low Density Residential District (LDR), Medium Density Residential District (MDR), and High Density Residential District (HDR) zones, which allow residential uses. We recommend amending your code for consistency with [RCW 35.21.683](#) and allowing PSH and transitional housing in all zones which allow residential dwelling units or hotels.

4. *City and county code provision must not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally. [RCW 36.130.020](#).*

PSH and transitional housing are interpreted as types of “affordable housing” ([WAC 365-196-410\(2\)\(e\)](#)). PSH and transitional housing are allowed as conditional uses in zones where similar housing types are allowed as permitted uses, which constitutes different requirements for “affordable housing” than housing generally. We recommend allowing these as permitted uses in all zones where multi-family or single family housing is allowed as a permitted use for consistency with [RCW 36.130.020](#).

5. *City and county development regulations must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization. [RCW 36.70A.545](#)*

In our review, we did not identify that city development regulations allow for an increased density bonus for affordable housing development on property owned or

controlled by a religious organization. We recommend updating your code as needed to align with the requirements in [RCW 36.70A.545](#).

6. *Regulatory limits on outdoor encampments, safe parking efforts, indoor overnight shelters, and temporary small houses on property owned or controlled by a religious organization must be consistent with [RCW 35.21.915 and RCW 36.01.290](#), which are very rigorous lists of potential items.*

In our review, we did not identify that the city's regulations for temporary shelters and encampments on property owned or controlled by a religious organization are consistent with statutory standards. We recommend updating your code as needed to align with the requirements in [RCW 35.21.915 and RCW 36.01.290](#).

As a friendly reminder, copies of adopted amendments shall be submitted to Commerce within ten days after final adoption ([RCW 36.70A.106\(2\)](#)).

Again, we appreciate the opportunity to work with the Town and provide comments on the proposed amendments. We are available for technical assistance and, if requested, can attend upcoming meetings with your Planning Commission and/or Council. If you wish to discuss any of the comments presented in this letter, you may reach me at Lexine.long@commerce.wa.gov or 360-480-4498.

Sincerely,



Lexine Long
Senior Planner, AICP
Growth Management Services

cc:

David Andersen, AICP, Managing Director, Growth Management Services
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services
Ben Serr, AICP, Eastern Regional Manager, Growth Management Services
Carol Holman, MUP, Western Regional Manager, Growth Management Services
Anne Fritzel, AICP, Housing Section Manager, Growth Management Services
Laura Hodgson, Housing Planning and Data Manager, Growth Management Services

TOWN OF COUPEVILLE

STAFF REPORT

DATE: April 3, 2026
TO: Planning Commission, Town of Coupeville
FROM: Josh Pitts, Community Planning Director
RE: Policy Analysis and Recommendation Regarding the MOA

INTRODUCTION

While the Town had intended to move forward with amending the Memorandum of Agreement (MOA), staff have recently identified legal constraints under RCW 36.70B.170 that limit this approach.

RCW 36.70B.170 requires that development agreements remain consistent with applicable local and state regulations. Since the MOA's adoption in 2004, Washington State law and local regulatory conditions have changed substantially, including new requirements under the Growth Management Act (GMA) mandating allowance of up to two accessory dwelling units (ADUs) per residential lot. As a result, the MOA is now inconsistent with current regulations and cannot be amended in a manner that would achieve compliance.

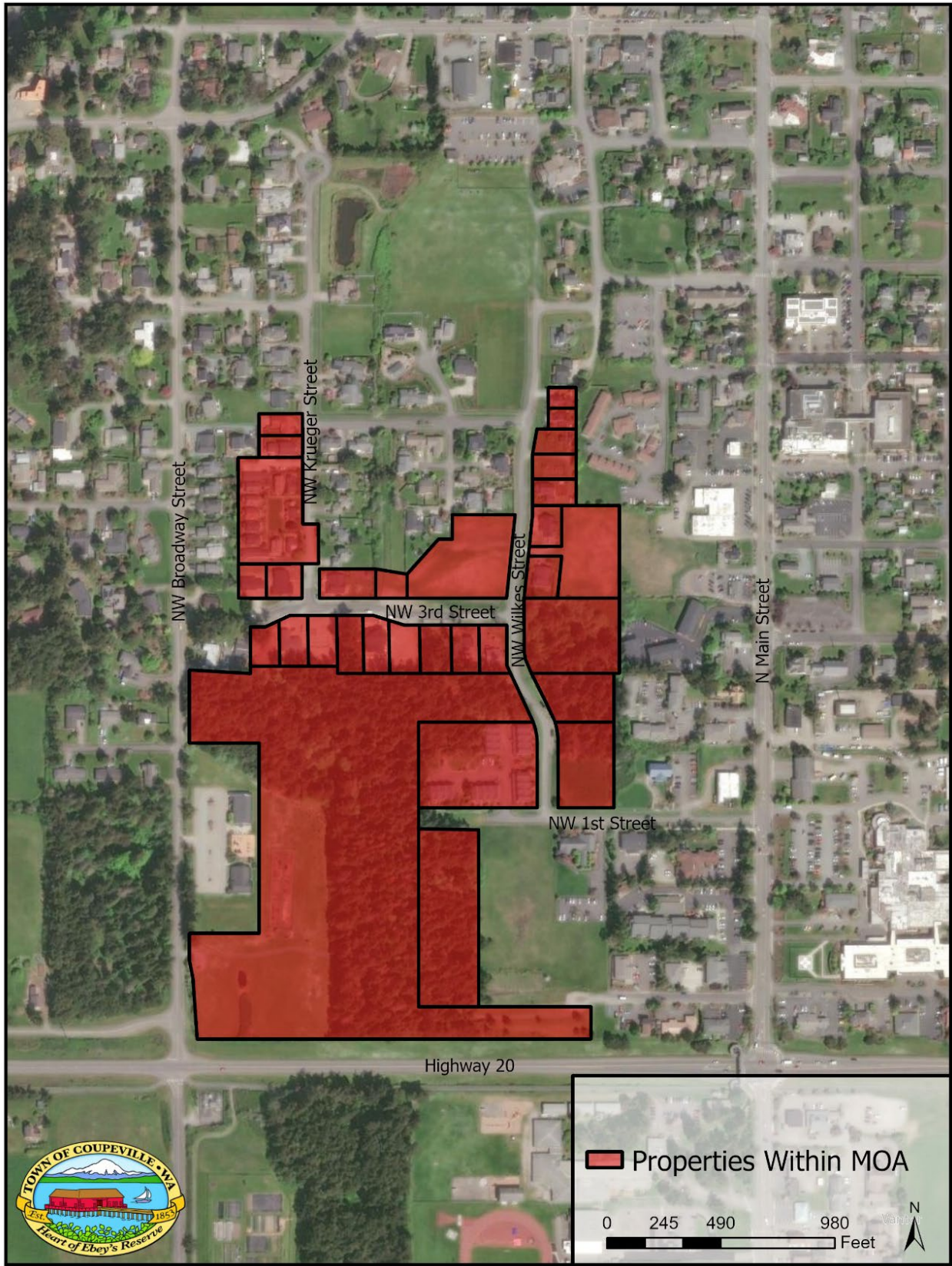
Accordingly, the question now before the Planning Commission is whether to maintain the MOA in its current form or to extinguish it. This report provides relevant background, evaluates the legal and planning implications of these options, and presents a staff recommendation.

MOA BACKGROUND

The MOA, executed in 2004 between the Town and the property owner, established a Special Planning Area encompassing approximately thirty-three (33) acres. Its purpose was to guide development through a site-specific framework that:

- Allocated development across nine (9) subareas;
- Established a maximum buildout of 108 dwelling units;
- Dedicated approximately 16.39 acres as open space to the Town; and
- Required all future development to be consistent with the MOA, with the MOA taking precedence over conflicting development regulations.

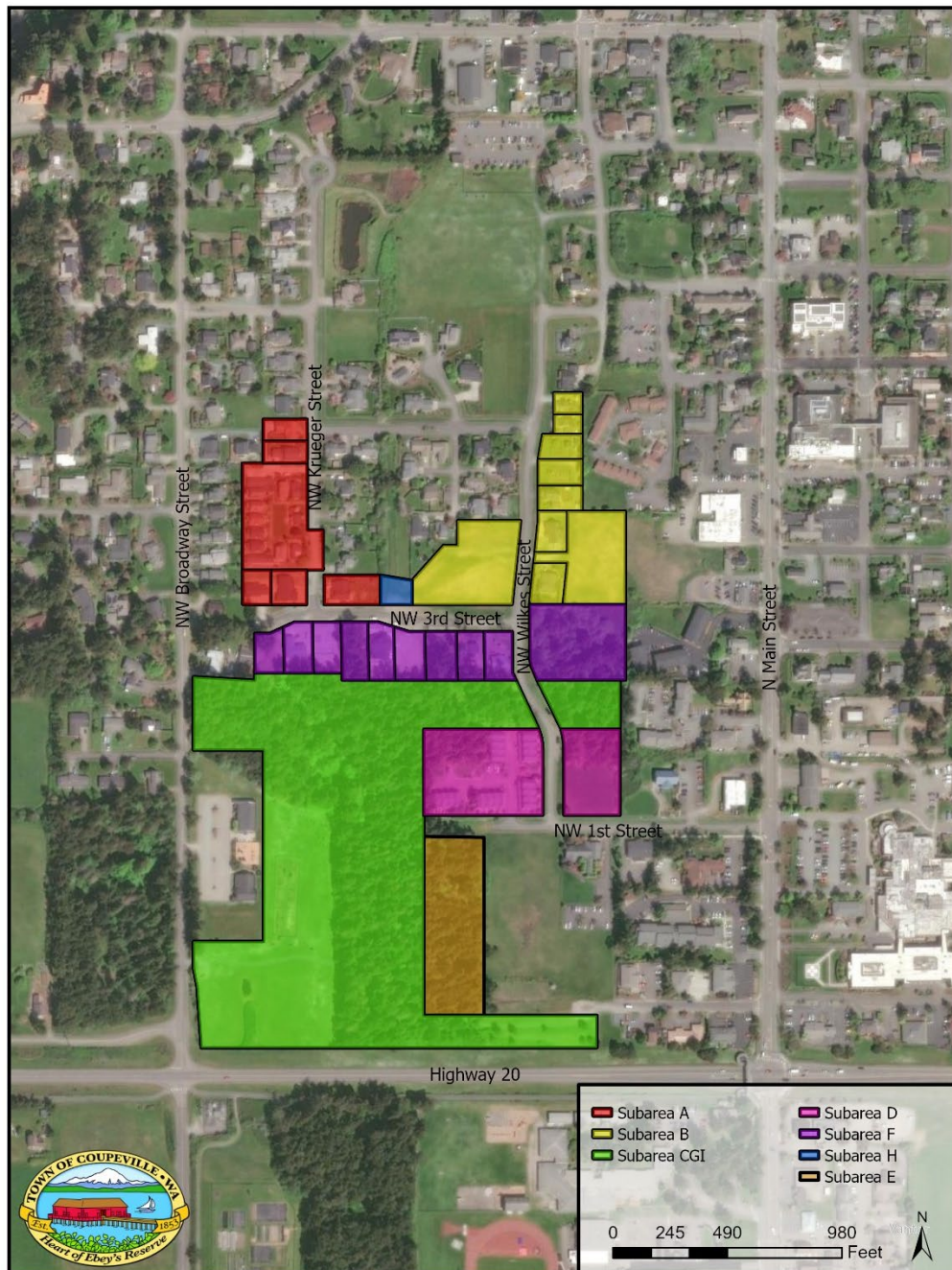
Importantly, the MOA also allows lot size averaging in future subdivisions, given the substantial open space dedication provided.



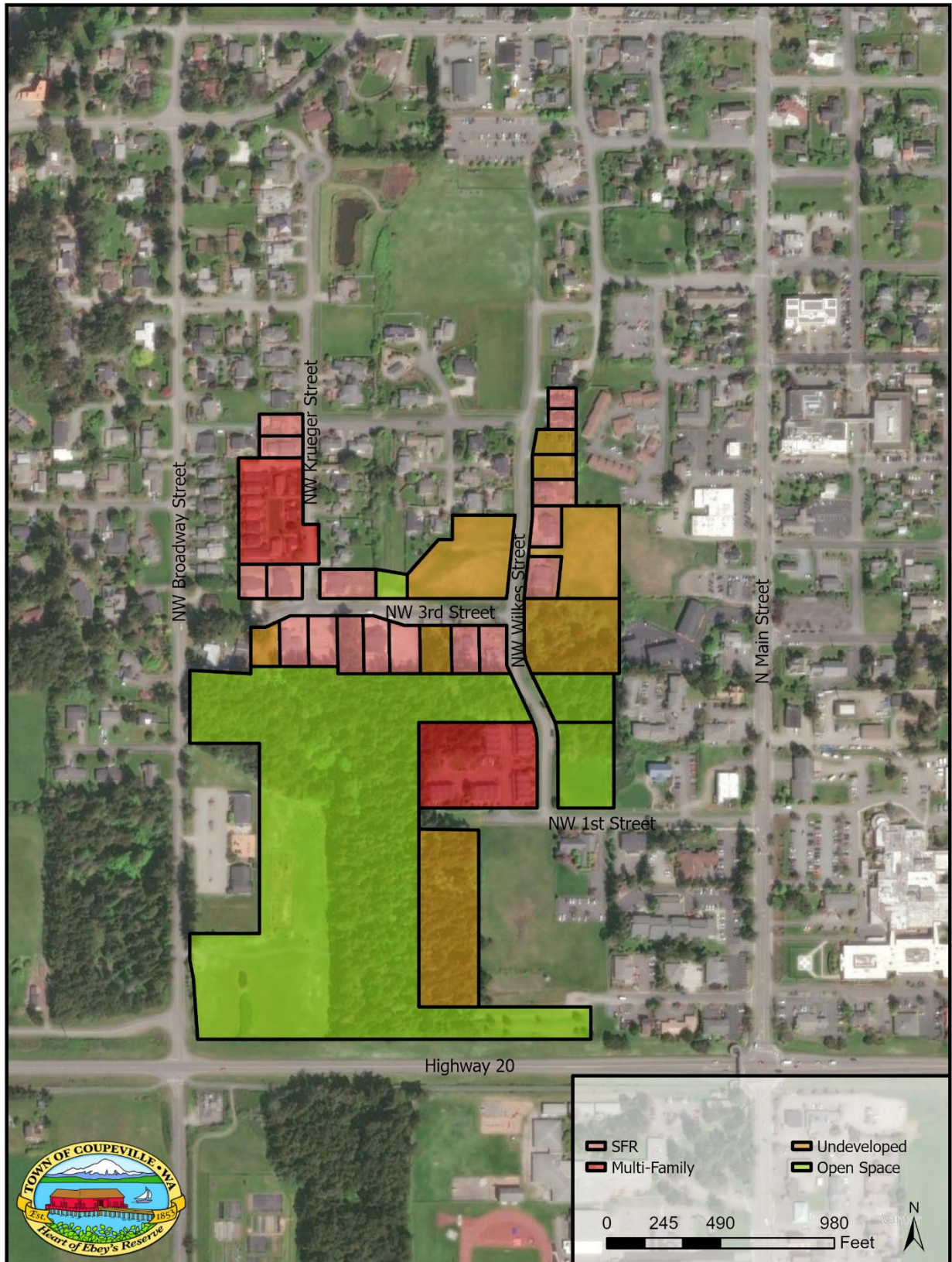
Map 1: All parcels within the MOA.

Since the MOA was adopted, key assumptions underlying the agreement have changed:

- The County has acquired Map Area E, leaving in limbo whether or not the thirteen credits originally allocated in that area will be used.
- Whidbey Camano Land Trust (WCLT) acquired subareas C (12 credits) and G (7 credits) and extinguished the right to construct all nineteen (19) credits originally allocated.



Map 2: Subareas within the MOA.



Map 3: Current parcel types within the MOA.

Thirty (30) dwelling unit credits remain associated with Map Areas B and F. While eight (8) parcels remain undeveloped, three of these are large enough that they alone could potentially be subdivided into approximately twenty-two (22) parcels. If each of the remaining parcels were developed with one dwelling unit, four (4) dwelling unit credits would remain unused within Map Areas B (3 credits) and F (1 credit).

MOA Status	
30 Total Parcels • 2 High-Density Parcels • 17 SFRs • 8 Undeveloped • 2 Open Space	78 Credits Used (30 Remain) • 17 SFRs • 20 Town Houses • 9 Cottages • 13 County Owned • 19 Extinguished (WCLT)

RCW 36.70B.170 AND IMPACT ON AMENDING THE MOA

[RCW 36.70B.170](#) authorizes the use of development agreements but requires that such agreements remain consistent with applicable development regulations adopted by the municipality. In recent years, state legislation, including [HB 1337](#), has further clarified local obligations by requiring jurisdictions to update their zoning codes to allow at least two ADUs per residential lot. While this statutory requirement does not automatically invalidate existing development agreements, it does introduce a potential legal conflict when those agreements are reopened or amended.

The MOA presents several characteristics that heighten this tension. The agreement predates current zoning and housing requirements, explicitly provides that it supersedes conflicting development regulations, and can only be amended through a Comprehensive Plan amendment with mutual consent of the parties. Because of these features, any effort to amend the MOA would likely trigger a requirement to bring the agreement into consistency with current development regulations, including those governing ADUs.

This situation creates a range of legal risks for the Town. An amendment that restricts ADUs below what is now required under state law could be subject to legal challenge. Additionally, a partially updated MOA – one that incorporates some but not all current regulatory requirements – could be found inconsistent with RCW 36.70B.170.

Taken together, these considerations suggest that amending the MOA introduces substantial legal uncertainty. For this reason, an amendment is not recommended. The more viable policy options are to either maintain the MOA in its current form or to pursue its extinguishment.

MAINTAINING THE MOA AS IS

Maintaining the MOA preserves a long-standing, site-specific agreement that continues to provide several important benefits. Chief among these is predictability and stability. The established 108-unit cap, along with defined subarea allocations, creates a clear and reliable framework for future development, allowing both the Town and property owners to understand the limits of buildout with a high degree of certainty.

In addition, the MOA reflects a carefully negotiated balance between housing development and open space preservation, embodying the original intent of the parties to protect key landscape features while still accommodating growth. This framework also serves to protect neighborhood character by limiting cumulative density and preventing incremental increases beyond the established cap. Furthermore, there are legitimate reliance interests to consider, as property owners may have made long-term planning and investment decisions based on the expectations created by the MOA.

At the same time, maintaining the MOA presents several notable limitations. The agreement establishes a regulatory framework that is increasingly inconsistent with the current state housing policy direction, particularly as Washington State continues to prioritize increased housing capacity and flexibility. It also results in unequal treatment when compared to other properties in Town that are subject to updated zoning regulations, potentially raising fairness concerns. The fixed unit cap constrains the Town's ability to expand housing supply in response to changing needs and market conditions. In practice, the MOA also introduces administrative complexity, as staff must interpret and apply both the MOA and current development regulations, which may not always align. Finally, retaining the MOA limits the Town's ability to adapt to evolving housing goals and policy priorities, reducing flexibility in long-term planning efforts.

EXTINGUISHING THE MOA

Extinguishing the MOA would remove the existing overlay framework and return the area to the Town's standard zoning and development regulations. This approach offers several key advantages, beginning with improved legal and regulatory alignment. By eliminating the MOA, the Town would ensure full consistency with current state law, including requirements related to ADUs. It would also remove the legal ambiguity created by having potentially conflicting regulatory frameworks in place, thereby reducing the Town's exposure to legal challenges.

This action would also modernize the Town's regulatory framework. The MOA, established in 2004, reflects planning assumptions and policy priorities from a different era. In contrast, current zoning and development standards are better aligned with today's

housing needs, policy direction, and community expectations. Removing the MOA would allow the Town to rely on these updated tools to guide development more flexibly and responsively.

In terms of housing outcomes, this approach would support greater flexibility and incremental growth. Consistent with state law, property owners would be allowed to develop up to two ADUs per parcel, creating opportunities for multigenerational living, aging in place, supplemental income, and increased rental availability. Importantly, this type of growth tends to be gradual and driven by individual property owners, helping to integrate new housing in a way that is compatible with existing neighborhoods.

Extinguishing the MOA would also increase overall housing capacity by removing the existing 108-unit cap. This would allow development potential to be realized in accordance with underlying zoning, supporting the Town's long-term housing supply objectives under the Growth Management Act. At the same time, development would remain subject to established standards governing lot size, setbacks, height, and other dimensional requirements.

From an equity, consistency, and administrative standpoint, extinguishing the MOA would ensure that all properties within the Town are subject to the same rules. Eliminating the MOA would simplify permitting and review processes by removing the need to interpret and apply two separate regulatory frameworks. This would reduce confusion for both applicants and staff and improve predictability in how the code is administered.

It is important to note that even without the MOA, development would continue to be subject to robust regulatory oversight. Projects would still need to comply with zoning standards, ADU regulations (including size limits and configuration options), Ebey's Landing design guidelines, environmental review under SEPA, and applicable infrastructure and concurrency requirements. These existing controls would continue to ensure that development is compatible with community character and environmental constraints.

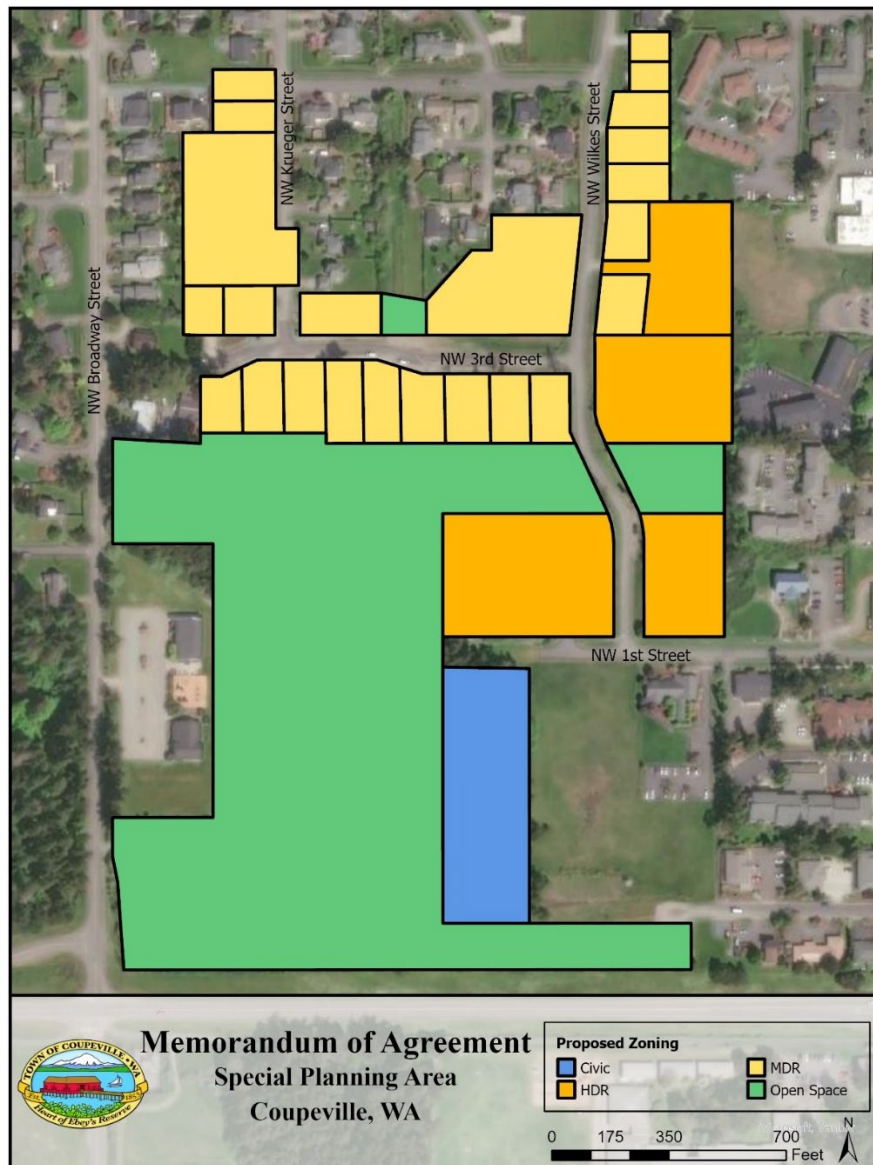
Finally, extinguishing the MOA provides a clean policy reset. Rather than pursuing piecemeal amendments to an outdated agreement, the Town can establish a clear, consistent, and defensible regulatory framework moving forward. This clarity benefits the public, property owners, and the development community, while positioning the Town to meet its housing and planning goals more effectively.

MOVING FORWARD

If the MOA were to be extinguished, staff would recommend that several parcels within the MOA area continue to reflect their original intent to concentrate density:

- Parcel S8521-00-0A218-0 (1.91 acres) – developed with 20 townhomes
- Parcel S7302-03-00004-2 (1.1 acres) – potential for 18 units
- Parcel R13233-195-3500 (1.35 acres) – potential for 24 units
- Parcel R13233-158-3340 (0.9 acres) – potential for 15 units

Consistent with the MOA’s framework, these parcels would be zoned high-density residential moving forward.



Map 4: Recommended zoning of parcels if the MOA is extinguished.

Parcel R13233-118-3290, owned by Island County, is a split-zoned property. Staff recommends designating the parcel as Civic to reflect its public ownership and the County’s original intent to expand administrative offices. While the specific nature of future

development remains uncertain, a Civic designation is the most appropriate zoning classification given the parcel's ownership and anticipated public use.

However, to remain consistent with the original intent of the MOA, particularly regarding the preservation of woodland character within this subarea, any future development should be sensitive to the existing natural environment. Development proposals by the County should prioritize the retention of mature trees and native ground cover to the greatest extent practicable.

Within the area that would be designated as medium-density, there are a total of 22 parcels. Of these, 17 parcels are already developed with single-family homes, and one parcel is developed with nine cottage units. Based on current conditions and applicable regulations, full buildout of the remaining development potential could result in a total of 21 single-family homes. In addition, consistent with current state law allowing up to two accessory dwelling units per residential lot, these parcels could collectively accommodate up to 42 ADUs, further contributing to the Town's overall housing capacity.

STAFF RECOMMENDATION

Based on the legal constraints, policy considerations, and the Town's long-term planning objectives, staff recommends that the Town consider extinguishing the MOA and transitioning the area to the Town's standard zoning and development regulations. This approach reflects a comprehensive evaluation of the available options and is intended to position the Town on the most legally sound and policy-consistent path forward.

As discussed, amending the MOA is not considered a legally viable option due to the significant risk of inconsistency with current state law and the likelihood that any amendment would trigger requirements to bring the agreement into full compliance with modern development regulations. At the same time, maintaining the MOA would continue a regulatory framework that is increasingly misaligned with both state housing mandates and the Town's evolving policy direction, while also perpetuating inequities between properties governed by the MOA and those subject to standard zoning.

In contrast, extinguishing the MOA provides a clear, equitable, and legally defensible solution. It allows the Town to apply a uniform set of development standards across all properties, eliminates regulatory ambiguity, and ensures full compliance with state law.

This approach also supports incremental housing growth, particularly through the allowance of accessory dwelling units, which aligns with both state requirements and local housing needs. Importantly, the Town's existing zoning and development regulations, along with applicable design and environmental review standards, remain sufficient to ensure that future development is compatible with established community character.

CONCLUSION

The MOA was an innovative and forward-thinking planning tool at the time of its adoption, successfully balancing development and open space preservation. However, the regulatory and policy environment has changed substantially over the past two decades.

While maintaining the MOA offers predictability and honors past commitments, it does so at the cost of flexibility, equity, and legal clarity. Extinguishing the MOA, though a more significant policy shift, provides a cleaner, more transparent, and forward-looking approach.

Staff recommends extinguishment as the option that best positions the Town to meet its legal obligations, support incremental housing opportunities, and plan effectively for the future.

Attachments:

1. Memorandum of Agreement



*After recording return to:
Town of Coupeville
P.O. Box 725
Coupeville, WA 98239*

Memorandum of Agreement

*Grantor: Cecil Stuurmans and Cheryl K. Stuurmans, husband and wife
Grantee: Town of Coupeville, a municipal corporation
Legal Description: Sec. 33, Twp32 N, Rge. 1 E
Additional Legal Description is on Page 7 of Document
Assessor's Tax Parcel Number: R13233-164-3100*

THIS AGREEMENT is made and entered into this 13th day of January, 2004, by and between the TOWN OF COUPEVILLE, a municipal corporation of the State of Washington, hereinafter referred to as the "TOWN" and Cecil Stuurmans and Cheryl K. Stuurmans hereinafter referred to collectively as the "OWNER."

Introduction

- 1.1 **Purpose** – Pursuant to Town Ordinance No. 637, adopted July 22, 2003, the Town deleted what was previously referred to Town Planned Area 3 and changed the future land use designation and zoning of Planned Area 3 and the 33.02 acres between Main and Broadway north of State Route 20, owned by Owner and described hereinafter, from Medium Density Residential to the future land uses and zoning described in this binding Memorandum of Agreement. The purpose of this Memorandum of Agreement (hereinafter "MOA") is:
- 1.1.1 to acknowledge the maximum future residential capacities, open space, land uses, and development policies within this Special Planning Area; and
 - 1.1.2 to establish certain other agreements between the parties all consistent with Town Ordinance No. 637.

The hereinafter described property encompassed by the Special Planning Area is referred to as the "the Owner's Property" or "the Property" unless otherwise indicated. Because of the contribution that this area makes to the cultural landscape of Ebey's Landing National Historical Reserve and the area's proximity to existing and planned public facilities and services, this MOA uses smart growth planning to transfer 90% of the existing development

rights from culturally significant parts of the Property to denser subareas more geographically appropriate to meet Coupeville's long-term housing needs.

- 1.2 **Geographic Applicability** – The Special Planning Area is contained entirely within Island County parcel number R13233-164-3100, as described by the legal description attached to this MOA as Exhibit 1. Within the boundaries of this parcel, the MOA does not apply to that area in the southeastern corner with a Future Land Use Map designation of Commercial. The Special Planning Area and the excluded commercial area are further defined and illustrated on the Generalized Future Land Use Map attached to this MOA as Exhibit 2.
- 1.3 **Generalized Future Land Use Map** – The Generalized Future Land Use Map for the Special Planning Area establishes approximate boundaries for future land uses in this area within four broad categories – mixed density residential, mixed density residential/priority acquisition areas, mixed use residential and commercial and greenbelt/open space. Each of these designations is described below:
 - 1.3.1 **Mixed Density Residential** – Four Special Planning Area subarea designations that promote a mix of residential densities, including single family, cottage and high density residential. A maximum of 69 dwelling units shall be built within this classification of future land use. In specific subareas, maximum numbers of dwelling units are established for a particular category of residential density. Future development will emphasize quality architecture, site design, and construction, as well as utilizing low impact development practices. These subareas correspond to Map Areas A, B, C, and D in Exhibit 2.
 - 1.3.2 **Mixed Density Residential/Priority Acquisition Areas** – Two Special Planning Area subarea designations that promote a mix of residential densities, including single family, cottage and high density residential. A maximum of 26 dwelling units shall be built within this classification of future land use. Future development will emphasize quality architecture, site design, and construction, as well as utilizing low impact development practices. Maximum tree retention (with accommodation for water views) and careful placement of structures and site improvements are hallmarks for future development. In addition, because of their outstanding woodland character, these two subareas are considered to be first priority for potential acquisition by the Town for open space purposes. A development moratorium of two years following the Effective Date is established for these subareas (see below). These subareas correspond to Map Areas F and G in Exhibit 2.
 - 1.3.3 **Mixed Use Residential and Commercial** – A Special Planning Area subarea designation that promotes a mix of residential and commercial uses within a design context aligned with the older character districts in the Historic Preservation Element. Mixed use occupancies (ground floor commercial with residential upper floors) are hallmarks of this subarea. A maximum of 13 dwelling units shall be built within this classification of future land use. Where this area coincides with existing woodlands, future development shall respect this environment and strive to maximize tree and native ground cover retention. This subarea corresponds to Map Area E in Exhibit 2.
 - 1.3.4 **Greenbelt/Open Space** – A Future Land Use Map classification that is intended to identify existing public parks, recreation and open spaces within the Urban Growth Area. Within the Special Planning Area, this subarea designation identifies areas that will be dedicated in fee to the Town of Coupeville and maintained by the Town as open space



following dedication. Allowances will be made by the Town within this designation to locate walking paths, stormwater facilities and one street connection between North Main Street and Broadway (no other streets will be located in these subareas). These subareas correspond to Map Areas H and I in Exhibit 2.

- 1.3.5 **Special Planning Area Subareas** – The subareas within the Special Planning Area are further described in the chart below. In total, nine subareas are delineated to establish the maximum number of dwelling units that shall be constructed within each subarea, up to an area-wide maximum of 108 dwelling units. The number of dwelling units allowed in any particular subarea shall not be transferred to any other subarea.

SPECIAL PLANNING AREA			
Future Land Use Characterizations by Subarea			
Refer to Exhibit 2 for Map Area Locations			
Map Area	Acreage	Dwelling Units	Development Character Goals
A	2.61	12	These areas are designated for mixed density residential development to include single family residences, cottages and high density. Area A is intended for single family and high density development only, with no more than six being high density. Area B is intended for a mix of all three housing types, with no more than ten high density. Area C is intended for single family and cottage development only. Area D is intended for high density or cottage development only.
B	4.37	25	
C	2.80	12	
D	2.85	20	
Subtotal	12.63 (38%)	69	
E	1.97	13	This area is designated for mixed-use development - residential and commercial.
Subtotal	1.97 (6%)	13	
F	5.03	19	These areas are designated for mixed density residential use at overall single-family density. Up to half of the future dwelling units may be developed as cottage or high density.
G	1.56	7	
Subtotal	6.54 (20%)	26	
H	0.17	Open Space	These areas will be dedicated to the Town of Coupeville and maintained as open space by the Town following dedication, with the exceptions noted above.
I	11.71	Open Space	
Subtotal	11.88 (36%)	0	
TOTAL	33.02	108	The buildout maximum capacity of the Special Planning Area is established at 108 dwelling units.

- 1.3.6 **Map Interpretation** – The Generalized Future Land Use Map for the Special Planning Area adopted as Exhibit 2 to this MOA is intended to provide a framework for future development applications. Subarea boundaries and acreage totals shall be interpreted as close approximations, as opposed to precise geographical descriptions. Minor field adjustments may be necessary and desirable and will be addressed during future short and/or long plat reviews.

- 1.3.7 **Public Improvements** – The cost for all public improvements necessary to serve future development within the Special Planning Area, including, but not necessarily limited to, streets, water and sewer utilities and stormwater facilities, shall be borne by the Owner.



1.3.8 **Relationship of MOA to Comprehensive Plan** – The Coupeville Comprehensive Plan Future Land Use Map has been amended to reflect adoption of the MOA. All future development applications within the Special Planning Area shall be consistent with the MOA. No application will be considered that is inconsistent with any part of the MOA.

1.3.9 **Relationship of the MOA to the Development Regulations** – All future development applications within the MOA coverage area are subject to applicable review procedures and requirements in effect at the time of application, including, but not limited to, subdivision review, SEPA review, concurrency review, design review and engineering review. The relationship between the housing type descriptions in the MOA and the implementing zoning district regulations in Title 16 of the Coupeville Town code are as follows:

1.3.9.1 Single family residential is implemented by the RM-9600 zoning district. Lot Size Averaging pursuant to Section 16.16.070.C.4 of the Town Code is allowed.

1.3.9.2 Cottage residential will be implemented by a new section of Title 16 to be developed and adopted within one year of the Effective Date of this MOA.

1.3.9.3 High density residential is implemented by the RH zoning district.

In the event of conflicts between the Coupeville Development Regulations and the provisions of this MOA, the MOA shall take precedent.

1.3.10 **Development Moratoria** – The following development moratoria are agreed with respect to specific subareas within the Special Planning Area:

1.3.10.1 It is agreed that the property owner will not submit and the Town will not accept a project development application of any kind within Areas F and G, the Priority Acquisition Areas, for a period of two years from the effective date of this MOA.

1.3.10.2 It is agreed that the property owner will not submit and the Town will not accept a project development application of any kind within Areas C, D and E for a period of one year from the effective date of this MOA.

1.4 **Design Considerations** – Excellence in site and architectural design is strongly encouraged in all of the development subareas. Retention of native land cover is preferred over formal landscaping, especially in areas abutting the public open space subareas. Development proposals within the subareas designated for residential development shall be subject to design review by the Design Review Board. Street design should reinforce the characteristic cross-section seen in the historic plats of Coupeville. Pedestrian emphasis, open swales rather than curb and gutter and native land cover preservation should be hallmarks of the public rights of way. Low impact development practices will be implemented in conjunction with future development.

1.5 **Open Space Dedication** – Within one year of the Effective Date of this MOA, the subareas shown on Exhibit 2 as Area H and Area I will be dedicated by the Owner to the Town of Coupeville by Statutory Warranty Deed, free of all encumbrances and liens other than those approved by the Town prior to recording of the Deed. The Town shall bear all costs associated with the survey, subdivision and recording of these dedications. Because of this dedication of open space, future subdivision applications within any of the subareas shall be exempt from the open space requirements of CTC 16.16.070(M).



- 1.6 Private Open Space and Recreational Amenities** – Except for open space dedicated to the Town under section 1.5 above, the responsibility for ownership and maintenance associated with any private open space set aside or private recreational amenity created within any of the Special Planning Area subareas shall rest solely with the property owners within the subarea where the facility is located, and not with the Town.
- 1.7 Sequence of Future Development** – Apart from the moratoria described in subsection 1.3.10 above, nothing in this MOA shall require any order be followed with respect to subarea development, nor shall any interpretation be made that requires that any one subarea be developed to its maximum capacity before any other subarea is developed.
- 1.8 Amending the MOA** – Amendments to the MOA shall only be considered as a Comprehensive Plan amendment, subject to the approval of both the Owner (or their successors and assigns) and the Town.
- 1.9 Limitations** – This MOA establishes generalized locations and maximum densities for future residential development and open space land uses only. It shall not be construed as granting approval for any specific development application within any of the future land use subareas.
- 1.10 Effective Date** – This document will be recorded with the Island County Auditor's Office and the provisions contained herein will run with the land. The effective date of this MOA shall be the date of recordation of the MOA ("Effective Date").

IN WITNESS WHEREOF, the parties have caused this agreement to be executed this 8 day of JANUARY, 2004

OWNERS:


Cecil Stuurmans


Cheryl K. Stuurmans

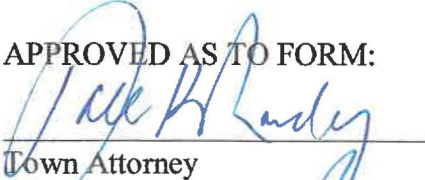
TOWN OF COUPEVILLE


Mayor

ATTEST:


Clerk-Treasurer

APPROVED AS TO FORM:


Town Attorney



STATE OF WASHINGTON)
) ss:
COUNTY OF ISLAND)

I certify that I know or have satisfactory evidence that Cecil Stuurmans and Cheryl K. Stuurmans are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes therein mentioned in this instrument.

Dated: 1-8, 2004.



B.J. Bishop
Print Name: B.J. Bishop
Notary Public for the State of Washington
Residing at: Freeland
My Commission Expires: 12/9/2006

STATE OF WASHINGTON)
) ss.
COUNTY OF ISLAND)

I certify that I know or have satisfactory evidence that Nancy Conard and Linda Marsh signed this instrument, on oath stated that they were authorized to execute the instrument, and acknowledged it as the legal representatives of the Town of Coupeville to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 22 day of January, 2004.



Janice E. Vaughan
Print Name: Janice E. Vaughan
Notary Public for the State of Washington
Residing at: Coupeville
My commission expires: 4-20-04



EXHIBIT "1"

Legal Description

A portion of the J. Alexander Donation Land Claim in Section 33, Township 32 North, Range 1 East of the Willamette Meridian, Town of Coupeville, Island County, Washington, being also a portion of Lot 2 of Coupeville Short Plat No. 85/1, as recorded in Volume 1 of Short Plats, page 337, and Tract D of Coupeville Short Plat 79/3, as recorded under Auditor's File No. 353585, records of Island County, said portion being more particularly described as follows: Beginning at the Southwest corner of said Lot 2; thence along the boundaries of said Lot 2; said Tract D; PEACEFUL VALLEY P.U.D. as recorded in Volume 13 of Plats, pages 64 and 65, under Auditor's File No. 89015354; Replat of PEACEFUL VALLEY, DIV. 1, as recorded in Volume 13 of Plats, page 75, under Auditor's File No. 91002995; PEACEFUL VALLEY P.U.D. REPLAT, as recorded in Volume 13 of Plats, page 79, under Auditor's File No. 92004951; and Plat of KRUEGER FARMS as recorded in Volume 13 of Plats, page 157, under Auditor's File No. 97003118; records of Island County, the following courses and distances:

North 02° 41' 48" West 175.42 feet; thence
North 09° 56' 11" West 50.99 feet; thence
North 01° 22' 26" East 77.74 feet; thence
South 88° 37' 47" East 200.00 feet; thence
North 01° 22' 26" East 544.14 feet; thence
North 88° 37' 34" West 200.00 feet; thence
North 01° 22' 26" East 220.00 feet; thence
South 88° 37' 34" East 175.00 feet; thence
North 01° 22' 26" East 245.00 feet; thence
North 88° 37' 34" West 34.33 feet; thence
North 01° 11' 53" East 351.83 feet; thence
South 88° 48' 07" East 60.00 feet; thence
North 01° 11' 53" East 125.00 feet; thence
South 88° 48' 07" East 125.00 feet; thence
South 01° 11' 53" West 322.05 feet; thence
South 88° 48' 07" East 45.00 feet; thence
South 01° 11' 53" West 122.50 feet; thence
South 88° 38' 48" East 164.03 feet; thence
South 79° 12' 20" East 91.33 feet; thence
North 43° 19' 26" East 134.54 feet; thence
South 88° 38' 48" East 40.00 feet; thence
North 01° 20' 12" East 70.00 feet; thence
South 88° 38' 48" East 180.00 feet; thence
North 01° 20' 12" East 245.00 feet; thence
South 88° 38' 48" East 95.00 feet; thence
North 01° 20' 12" East 118.86 feet; thence
South 88° 38' 48" East 80.00 feet; thence
South 01° 20' 12" West 334.26 feet; thence
South 88° 38' 48" East 123.71 feet; thence
South 01° 20' 12" West 483.45 feet; thence
North 88° 38' 48" West 15.55 feet; thence
South 01° 20' 12" West 500.00 feet; thence
North 88° 38' 48" West 4.00 feet; thence
South 01° 20' 12" West 300.00 feet; thence
North 88° 38' 48" West 2.00 feet; thence
South 01° 20' 12" West 94.00 feet; thence
North 88° 38' 48" West 54.71 feet; thence
South 01° 20' 12" West 152.19 feet to the North right-of-way margin of S.R. 20; thence
North 88° 38' 50" West along said North margin, a distance of 1,135.56 feet to the Point of Beginning.

EXCEPT that portion thereof described as follows:

Commencing at the Northwest corner of aforesaid Replat of PEACEFUL VALLEY, DIV. 1, according to the Replat thereof recorded in Volume 13 of Plats, page 75, under Auditor's File No. 91002995, records of Island County; thence along the North boundary of said Replat

Exhibit 1 – Page 1 of 2 pages



South 88° 39' 48" East 2.00 feet to the East boundary of aforesaid Tract D of Coupeville Short Plat No. 79/3; thence northerly along said East boundary the following courses and distances:

North 01° 20' 12" East 89.92 feet to the True Point of Beginning; thence continuing
North 01° 20' 12" East 210.08 feet; thence
South 88° 39' 48" East 4.00 feet; thence
North 01° 20' 12" East 55.00 feet; thence leaving said East boundary
North 88° 39' 48" West 167.50 feet; thence
South 01° 20' 12" West 265.08 feet; thence
South 88° 39' 48" East 163.50 feet to the True Point of Beginning.

ALSO EXCEPT that portion thereof described as follows:

Commencing at the Northwest corner of the Replat of PEACEFUL VALLEY, DIV. 1, according to the Replat thereof recorded in Volume 13 of Plats, page 75, under Auditor's File No. 91002995, records of Island County; thence along the North boundary of said Replat South 88° 39' 48" East 2.00 feet to the East boundary of aforesaid Tract D of Coupeville Short Plat No. 79/3; thence northerly along said East boundary the following courses and distances:

North 01° 20' 12" East 300.00 feet; thence
South 88° 39' 48" East 4.00 feet; thence
North 01° 20' 12" East 55.00 feet to the True Point of Beginning; thence leaving said East boundary
North 88° 39' 48" West 167.50 feet; thence
North 01° 20' 12" East 60.00 feet; thence
South 88° 39' 48" East 167.50 feet to aforesaid East boundary; thence
South 01° 20' 12" West along said East boundary, a distance of 60.00 feet to the True Point of Beginning.

