

**ORDINANCE NO. 2013-16**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, to amend the Land Use Map of the Comprehensive Plan to change the designation from Open Space Residential-2 (OSR-2) to Water-Dependent Industrial (WD-I) for two properties located on the south shore of Eagle Harbor.

**WHEREAS**, Darrell McNabb owns two properties located at 4200 Eagle Harbor Drive NE, Tax Parcel 352502-2-003-2007 (aggregated with Lots 001 and 002 under Tax Parcel No 352502-2-086-2007) and Tax Parcel No. 352502-2-004-2006 (referred to hereafter as “subject property”) which are currently designated Open Space Residential-2 (OSR-2) on the Land Use Map of the Comprehensive Plan; and

**WHEREAS**, Darrell McNabb has applied for a Comprehensive Plan Amendment during the 2013 Comprehensive Plan Amendment cycle requesting to change the designation of the subject property from OSR-2 to WD-I on the Land Use Map of the Comprehensive Plan; and

**WHEREAS**, the Planning Commission conducted a study session on this proposed Comprehensive Plan Amendment on May 23, 2013; and

**WHEREAS**, the Planning Commission conducted a public hearing on June 27, considered the decision criteria for the amendment request, and forwarded their recommendation to the City Council; and

**WHEREAS**, the shoreline designation for Tax Parcel No. 352502-2-004-2006 (“Parcel B” on Exhibit A), currently proposed to be Shoreline Residential Conservancy, would need to be designated as Urban in order to be consistent with a WD-I upland designation; and

**WHEREAS**, Darrell McNabb sought this change in the shoreline designation for Tax Parcel No. 352502-2-004-2006 with the Department of Ecology as part of the City’s Shoreline Master Program Update; and

**WHEREAS**, the Department of Ecology recommended to the City on November 15, 2013 that the shoreline designation of Tax Parcel No. 352502-2-004-2006 should be changed to Urban, provided that Mr. McNabb executes a Boundary Line Adjustment, moving the western property line to an agreed-upon point to the east; and

**WHEREAS**, Darrell McNabb has agreed to execute the necessary Boundary Line Adjustment; and

**WHEREAS**, the City Council conducted a public hearing on this proposed Comprehensive Plan Amendment on November 25, 2013 and considered the decision criteria; and

**WHEREAS**, notice was given on June 28, 2013 to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN, AS FOLLOWS:**

**Section 1.** The City Council finds that this Comprehensive Plan Amendment is in conformance with the Comprehensive Plan and all applicable state laws in effect at the time of approval.

**Section 2.** The land use designation for Tax Parcel 352502-2-003-2007 shall be changed from Open Space Residential-2 (OSR-2) to Water-Dependent Industrial on the Land Use Map of the Comprehensive Plan as described above, upon the effective date of this ordinance.

**Section 3.** The land use designation for Tax Parcel 352502-2-004-2006 shall be changed from Open Space Residential-2 (OSR-2) to Water-Dependent Industrial on the Land Use Map of the Comprehensive Plan, effective five (5) days after Darrell McNabb records a Boundary Line Adjustment as described above with the Kitsap County Auditor.

**Section 4.** The approval for a change in land use designation for Tax Parcel 352502-2-004-2006 shall become null and void if a Boundary Line Adjustment is not recorded with the Kitsap County Auditor within six (6) months of the effective date of this ordinance.

**Section 5.** This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this 25<sup>th</sup> day of November, 2013.

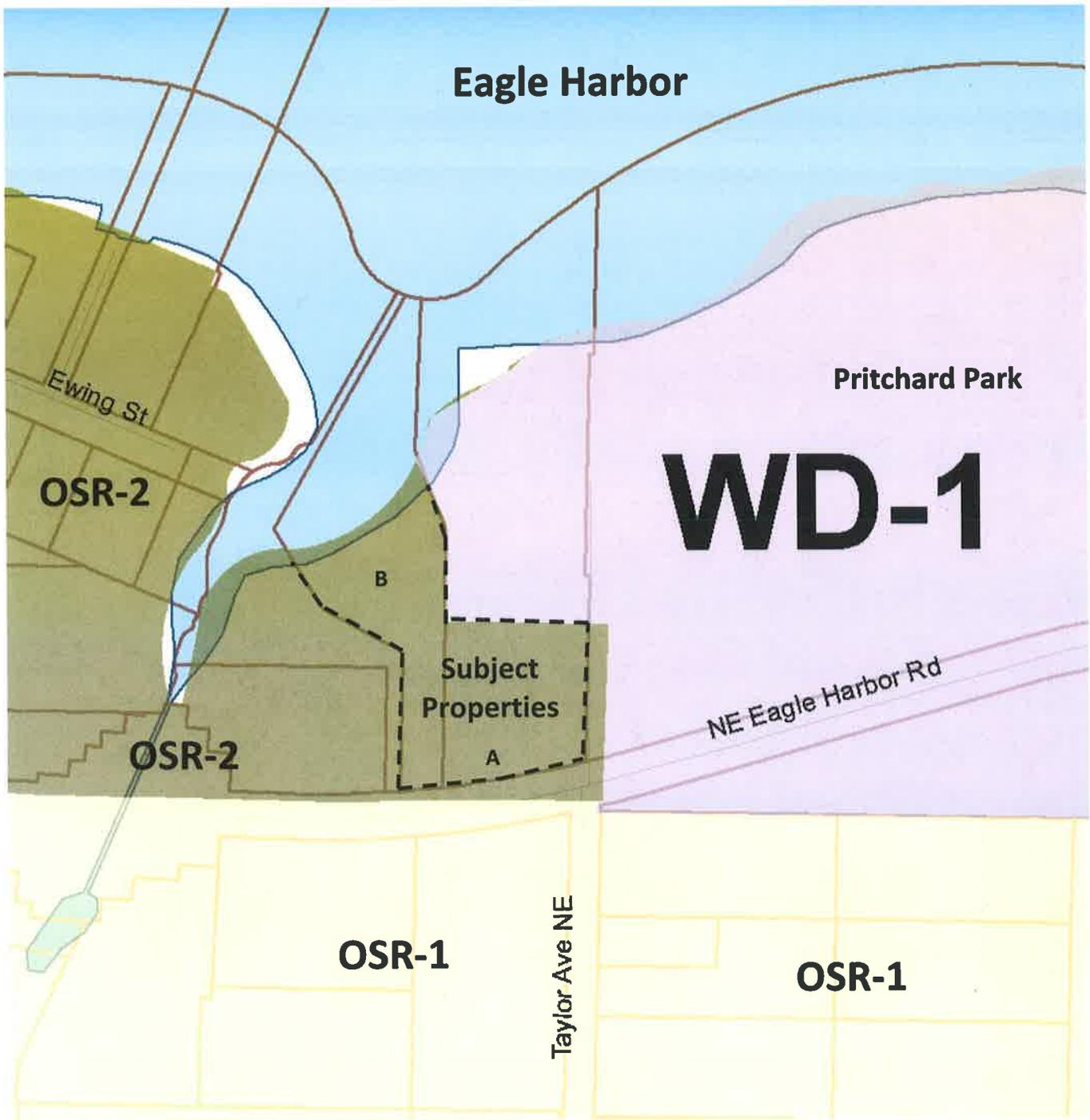
APPROVED BY THE MAYOR this 25<sup>th</sup> day of November, 2013.

  
Steven Bonkowski, Mayor

ATTEST/AUTHENTICATE:

  
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	October 8, 2013
PASSED BY THE CITY COUNCIL:	November 25, 2013
PUBLISHED:	December 6, 2013
EFFECTIVE DATE:	December 11, 2013
ORDINANCE NUMBER:	2013-16



**Exhibit A**