

**ORDINANCE NO. 2009-11**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, adopting the *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014* (except Appendix H) as Appendix C of the Capital Facilities Element of the City of Bainbridge Island Comprehensive Plan.

**WHEREAS**, the City of Bainbridge Island adopted the Comprehensive Plan on December 1, 1994;

**WHEREAS**, in accordance with RCW 36.70A, the Growth Management Act, the City is required to review and update its Comprehensive Plan;

**WHEREAS**, the City of Bainbridge Island has previously adopted the *1994 Bainbridge Island Park and Recreation District Comprehensive Plan*, and subsequently *Bainbridge Island Park and Recreation District Comprehensive Plan 2002-2008* as Appendix C of the Capital Facilities Element of the City of Bainbridge Island Comprehensive Plan;

**WHEREAS**, during 2008, the Bainbridge Island Metropolitan Park and Recreation District (the "Park District") conducted an extensive public involvement campaign as part of their comprehensive plan update, including surveys and public meetings; and

**WHEREAS**, the Park District Board adopted by Park District Resolution No. 2009-04, the *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014* (the "Park Plan"); and

**WHEREAS**, Appendix H of the *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014* is a draft City ordinance for a Park Impact Fee, and at this time the City is not pursuing adoption of a Park Impact Fee; and

**WHEREAS**, the Park District acknowledges that there is an error in Table B-1 of Appendix B of the Park Plan, listing the Senior Center as being owned by the Park District instead of the City, and the Park District intends to correct the error during the next scheduled revision to the Park Plan; and

**WHEREAS**, the City of Bainbridge Island Planning Commission reviewed the *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014* on June 9 and July 23, 2009; and

**WHEREAS**, the City of Bainbridge Island Planning Commission held a public hearing on July 23, 2009 for the Comprehensive Plan amendments, including *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014*; and

**WHEREAS**, the City of Bainbridge Island City Council considered the amendment request on September 9, 2009, at first reading, and on October 28, 2009, at second reading in which Council accepted public comment; and

**WHEREAS**, on November 23, 2009, the City Council held third reading on the amendment and considered the record and decision criteria, and adopted findings;

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

Section 1. The *Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation & Open Space Plan 2008-2014* (except Appendix H) (Exhibit 1) is hereby adopted as Appendix C of the Capital Facilities Element of the City of Bainbridge Island Comprehensive Plan, to replace the existing 2002-2008 Bainbridge Island Park and Recreation District Comprehensive Plan.

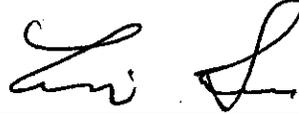
Section 2. Appendix E of the Non-Motorized Transportation Plan is hereby removed.

Section 3. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

**PASSED** by the City Council this 23<sup>rd</sup> day of November 2009.

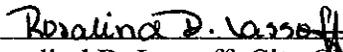
**APPROVED** by the Mayor this 24<sup>th</sup> day of November 2009.



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Christopher Snow, Mayor

**ATTEST/AUTHENTICATE:**

  
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	September 1, 2009
PASSED BY THE CITY COUNCIL:	November 23, 2009
PUBLICATION DATE:	December 4, 2009
EFFECTIVE DATE:	December 9, 2009
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