

**ORDINANCE NO. 2010-12**

**AN ORDINANCE** of the City of Bainbridge Island, Washington amending Policy LM 2.1 of the Land Use Element and deleting Policy E2.7 of the Economic 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 Chapter 36.70A RCW, the Growth Management Act, the City is required to review and update it's Comprehensive Plan;

**WHEREAS**, Land Use Element policy LM 2.1 specifies that development on 35 acres zoned light manufacturing located west of State Route 305 and north of Day Road shall occur through a master plan process; and

**WHEREAS**, in 1997, the City implemented Land Use Element policy 2.1 by adopting Ordinance 97-01, which established Bainbridge Island Municipal Code (BIMC) Chapter 18.125 Master Planned Development, which outlines a process and standards to apply to those 35 acres of light manufacturing; and

**WHEREAS**, since the adoption of the Master Plan Development process outlined in Chapter 18.125 BIMC, development and performance standards have been adopted for the Light Manufacturing district, Chapter 18.72 BIMC, that address impacts such as noise, odor, or fire safety, and Light Manufacturing Design Guidelines addressing screening and building design; and

**WHEREAS**, since the adoption of the Master Planned Development process outlined in Chapter 18.125 BIMC, the Site Plan and Design Review process outlined in Chapter 18.105 BIMC has been improved to provide the same evaluation, protection measures and standards as the Master Planned Development process, while allowing phased development; and

**WHEREAS**, the Master Planned Development process is more cumbersome than any other required land use permit, such as Subdivision or Site Plan and Design Review, while duplicating protections and standards; and

**WHEREAS**, the policy amendments requested through this Comprehensive Plan Amendment remove references to the Master Plan process, which is the first step towards repealing the Master Planned Development regulations, Chapter 18.125 BIMC; and

**WHEREAS**, aside from the reference to the Master Plan process, other light manufacturing issues discussed in Economic Element Policy 2.7 are covered in Economic Element policies E 2.3 and E 2.6; and

**WHEREAS**, the City's Responsible Official under the State Environmental Policy Act issued a threshold Determination of Non-Significance for the proposed amendments on April 30, 2010; and

**WHEREAS**, the City of Bainbridge Island Planning Commission held a public hearing on June 10, 2010 for the 2010 Comprehensive Plan amendments, including this amendment to policies related to Master Planned Developments and unanimously recommended approval of the amendments to the City Council; and

**WHEREAS**, pursuant to RCW 36.70A.106, the City notified the Washington State Department of Commerce on April 30, 2010 and June 24, 2010 of the proposed Comprehensive Plan amendments; and

**WHEREAS**, the City of Bainbridge Island City Council considered the amendment request on July 28, 2010, at first reading, and on August 11, 2010, at second reading in which Council accepted public comment; and

**WHEREAS**, on August 18, 2010, the City Council considered the record and decision criteria, and adopted findings; now therefore

**THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO ORDAIN, AS FOLLOWS:**

Section 1. Findings. The City Council finds that the proposed amendments to the City of Bainbridge Island Comprehensive Plan are consistent with and conform to the Comprehensive Plan, meet all applicable state laws and the City's Decision Criteria of BIMC 18.117.050.

Section 2. Amendment. Policy LM 2.1 of the Land Use Element of the City of Bainbridge Island Comprehensive Plan is amended as follows:

LM 2.1 The 35 acres adjacent to the light manufacturing area north of Day Road and west of SR 305 are designated as light manufacturing on the Land Use Map, and development with this 35-acre light manufacturing area must utilize the Master Plan Site Plan Review process for project review to address open space, trail connections and environmental impacts associated with proposed development. The Master plan must include a substantial buffer form Day Road and SR 305, and from adjacent properties, and must also provide for substantial open space and pedestrian and equestrian trails connecting through the adjoin parkland

~~SEPA review for development of the site shall address the impact of the proposed use on water quality, aquifer recharge, noise, odor, lighting, stormwater runoff, transportation, environmentally sensitive areas (such as wetlands and streams), and fire safety.~~

Section 3. Amendment. Policy E 2.7 of the Economic Element of the City of Bainbridge Island Comprehensive Plan is deleted as follows:

~~E-2.7 Develop an optional Light Manufacturing Master Plan process for parcels of sufficient size that would include light manufacturing and open space components and could include a residential component associated with the LM uses. Open space components could be of sufficient size that could be used for agriculture or active recreation (ball fields, etc.). The Master Plan process would review concurrently all pertinent permit applications for the proposed site, including a comprehensive plan amendment request for change of land use designation, if applicable.~~

Section 4. Severability. 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 5. Effective date. 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 18<sup>th</sup> day of August 2010.

**APPROVED** by the Mayor this 25<sup>th</sup> day of August 2010.



Bob Scales, Mayor

**ATTEST/AUTHENTICATE:**

Rosalind D. Lassoff  
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	August 12, 2010
PASSED BY THE CITY COUNCIL:	August 18, 2010
PUBLICATION DATE:	August 27, 2010
EFFECTIVE DATE:	September 1, 2010
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