

Chapter 16.08

POLICIES FOR CONDITIONING OR DENYING GOVERNMENTAL ACTION

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16.08.010 Generally.

City officials may condition or deny a government action, as defined in WAC 197-10-440(2), on the basis of specific adverse environmental impacts which are identified in writing in environmental documents prepared pursuant to SEPA requirements based upon the city documents listed in BIMC 16.08.020 and the city policies set forth in BIMC 16.08.030 through 16.08.200. (Ord. 80-19, 1980)

16.08.020 City policies set forth in city documents.

City policies shall be set forth in the following city documents:

- A. The comprehensive plan;
- B. The zoning ordinance;
- C. Shoreline master program;
- D. Sign ordinance;
- E. Park and trails comprehensive plan;
- F. Park dedication ordinance;

G. The SEPA implementing ordinance and amendments thereto;

H. Any other policies of the city which have been incorporated into resolution, regulations, ordinances, plans or codes and which provide a reasonable basis for attaching conditions to the approval of a proposal or for denying a proposal in order to mitigate adverse environmental impacts. (Ord. 80-19 § 1, 1980)

16.08.030 Earth and soil.

City policy on earth and soil shall be as follows:

A. Development on steep slope areas shall be prohibited. Areas of land slide and land slippage should be protected by employing restrictions on development or by special engineering features.

B. To insure prompt development, restoration and effective erosion control of property after land clearing through the use of phase development, replanting, hydroseeding and other appropriate engineering techniques. (Ord. 80-19 § 2(A), 1980)

16.08.040 Air.

City policy on air shall be as follows: Air quality standards as presently enjoyed in Bainbridge Island should not be degraded by any specific development or activity built or conducted within the city. (Ord. 80-19 § 2(B), 1980)

16.08.050 Water.

City policy on water shall be as follows:

A. Surface waters such as ponds, streams, creeks, wetlands, marshes or the waters of Eagle Harbor should not be adversely affected by any development.

B. Drainage should be regulated so that no development shall increase the predevelopment runoff rate and should minimize surface water and groundwater runoff and diversion and to prevent erosion and reduce the risk of slides.

C. To encourage sound development guidelines and construction procedures which respect and preserve the city's watercourse; to minimize water quality degradation and control the sedimentation of creeks, streams,

ponds, lakes, Eagle Harbor and other water bodies; to preserve and enhance the aesthetic quality of the waters.

D. Development which may adversely affect aquifer recharge areas or drainage areas in the Bainbridge Island vicinity should be prohibited or restricted. (Ord. 80-19 § 2(C), 1980)

16.08.060 Flora and fauna.

City policy on flora and fauna shall be as follows:

A. To protect the unique flora and fauna within the city;

B. To preserve and enhance the city's physical and aesthetic character by preventing indiscriminate removal or destruction of trees and ground cover on undeveloped and partially developed property;

C. To encourage the retention of trees and other vegetation for visual buffers and soil retention;

D. To encourage buffer zones or green belts between developments. If there are different zoning uses, greenbelts shall be required;

E. To encourage building and site planning that necessitates the least removal of trees and vegetation. (Ord. 80-19 § 2(D), 1980)

16.08.070 Noise.

City policy on noise shall be to encourage development practices consistent with city noise Ordinance 75-13, codified at Chapter 16.16 BIMC. (Ord. 80-22 § 1, 1980; Ord. 80-19 § 2(E), 1980)

16.08.080 Light and glare.

Repealed by Ord. 2002-15. (Ord. 80-19 § 2(F), 1980)

16.08.090 Land use.

City policy on land use shall be as follows:

A. The city should restrict or prohibit uses which cannot be adequately or economically served by city utilities and services.

B. Uses which are contrary to the city's comprehensive plan may be prohibited or restricted. (Ord. 80-19 § 2(G), 1980)

16.08.100 Natural resources.

City policy on natural resources shall be to encourage the wise use of nonrenewable natural resources and to encourage efficient use of renewable resources. (Ord. 80-19 § 2(H), 1980)

16.08.110 Explosion and hazardous emissions.

City policy on explosion and hazardous emissions shall be as follows: Proposals involving hazardous materials or explosive material shall be strictly regulated. (Ord. 80-19 § 2(I), 1980)

16.08.120 Population and housing.

City policy on population and housing shall be to retain the present character of a primarily single-family residential community with moderate population density. (Ord. 80-19 § 2(J), 1980)

16.08.130 Transportation.

City policy on transportation shall be as follows:

A. To encourage projects to provide for pickup areas for public transportation, vanpools and carpools;

B. To require adequate off-street parking, where feasible, for all future projects;

C. To approve local street systems which are designed to minimize through traffic movements, to discourage excessive speeds, to minimize the need for circuitous travel, and which are designed for a relatively uniform low volume of traffic;

D. To approve street designs which are beneficial to the public in consideration of vehicular and pedestrian safety, efficiency of service, influence on the amenities and livability of the community, and economy of both construction and the use of land. (Ord. 80-19 § 2(K), 1980)

16.08.140 Public services and utilities.

City policy on public services and utilities shall be to approve developments only when adequate public services and utilities are available or can be made available. These services shall include but not be limited to water, sewer,

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police and fire protection and sufficient electric and communication facilities. (Ord. 80-19 § 2(L), 1980)

16.08.150 Energy.

City policy on energy shall be to incorporate energy conservation features as feasible and practicable into all city projects and promote energy conservation throughout the community. (Ord. 80-19 § 2(M), 1980)

16.08.160 Aesthetics.

City policy on aesthetics shall be to encourage development which maintains and improves the existing character of our neighborhoods. Consideration should be given to existing scenic vistas, height of buildings, view blockage, and general neighborhood character. (Ord. 80-19 § 2(N), 1980)

16.08.170 Recreation.

City policy on recreation shall be to see that future development does not close off present recreational facility access and to plan for future needs of the community. (Ord. 80-19 § 2(O), 1980)

16.08.180 Archeological and historical.

City policy shall be to consider historical and archeological importance of all buildings and sites prior to any change in use or development. (Ord. 80-19 § 2(P), 1980)

16.08.190 Economics.

City policy on economics shall be to encourage a reasonable balance between economic and environmental concerns. (Ord. 80-19 § 2(Q), 1980)

16.08.200 Other policies.

A. A single development or land use though otherwise consistent with zoning and other city policies may create adverse impacts upon facilities and services, natural systems or the surrounding area when aggregated with the impacts of prior or other proposed development. It is the policy of the city to analyze such cumulative environmental impacts and conditions or deny proposals to minimize or prevent

adverse impacts in accordance with other provisions of this chapter.

B. Cumulative Effect.

1. The analysis of cumulative effects shall include a reasonable assessment of the present and planned capacity of such public facilities as sewers, storm drains, solid waste disposal, parks, schools, streets, utilities and parking areas to serve the areas affected by the proposal.

2. The analysis of cumulative effects shall include a responsible assessment of the adequacy of the present and planned public services such as transit, health, police and fire protection and social services to serve the area affected by the proposal.

3. The analysis of cumulative effects shall include a reasonable assessment of the capacity of natural systems (air, water, light, land) to absorb the direct and reasonable anticipated indirect impacts of the proposal.

4. Based in part upon such analysis, a project may be modified to lessen its demand for support services and facilities or its impact on natural systems. Modification may also be required to provide for subsequent projects which can be expected to share the need for support services and facilities or use of the natural system's capacity.

C. In assessing the environmental impacts of a proposal and in determining the need for conditioning or denying a proposal in accordance with other provisions of this chapter, the responsible official shall utilize SEPA, all policies, guidelines and regulations adopted pursuant to SEPA, federal, state, and regional environmental quality standards, and the legislative enactments of the city, both specific and general, now in effect or enacted in the future.

D. It is not the intent or purpose of this chapter to prevent reasonable development of land in the city. (Ord. 80-19 § 2(R), 1980)