

ORDINANCE NO. 2017-08

AN ORDINANCE of the City of Bainbridge Island, Washington, amending Section 16.04.160 of the Bainbridge Island Municipal Code relating to SEPA substantive authority.

WHEREAS, in 1992, the City of Bainbridge Island (“City”) adopted Ordinance No. 92-06 relating to environmental policy and implementing State Environmental Policy Act (SEPA) regulations for the City, including substantive SEPA authority; and

WHEREAS, SEPA substantive authority allows agencies to condition or deny proposals based on policies, plans, rules, or regulations formally designated by the agency, or the appropriate legislative body, in the case of local government, as the basis for the exercise of substantive authority; and

WHEREAS, the City has not updated its substantive SEPA authority since 1992; and

WHEREAS, the City has determined that it is in the public interest to formally designate an updated list of policies, plans, rules, or regulations to be used as the basis for the exercise of substantive authority; and

WHEREAS, adoption of legislation related to agency SEPA procedures is categorically exempt from SEPA threshold determination and EIS requirements; now, therefore,

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

Section 1. Section 16.04.160.D of the Bainbridge Island Municipal Code, Substantive Authority, is hereby amended to read as follows:

D. The city designates and adopts by reference the following policies as the basis for the city’s exercise of authority pursuant to this section:

1. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- a. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- b. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- c. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- d. Preserve important historic, cultural, and natural aspects of our national heritage;

- e. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- f. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- g. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

2. The city recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

3. The city adopts by reference the policies, plans, rules, or regulations in the following statutes, regulations, provisions, and documents to the extent such policies, plans, rules, or regulations are not inconsistent with the policies listed in subsections 1 and 2 of this subsection and are not inconsistent with the City of Bainbridge Island Comprehensive Plan:

- a. Bainbridge Island Municipal Code, including all other chapters contained in Title 16, Environment, and Title 18, Zoning;
- b. ~~Bainbridge Island Subarea Land Use Plan dated December 18, 1989, and map~~ All subarea plans for Bainbridge Island or areas of Bainbridge Island as currently in effect, and as amended or adopted in the future;
- c. Washington Shoreline Management Act, Chapter 90.58 RCW, and Chapter 173-26 WAC;
- d. Bainbridge Island Shoreline Master Program, effective July 30, 2014 (adopted by Ordinance No. 2014-04), and as amended thereafter;
- ~~ed. Water Quality Act~~ Washington Water Pollution Control Act, Chapter 90.48 RCW, and implementing regulations thereof;
- ~~fe. Bainbridge Island Metropolitan Park and Recreation District 2014 Comprehensive Plan for Parks, Recreation & Open Space, and as amended thereafter~~ Comprehensive Plan, 1990;
- ~~gf. Bremerton~~ Kitsap County Board of Health regulations that relate to environmental protection;
- ~~hg. Washington~~ Growth Management Act, Chapter 36.70A RCW, and implementing regulations thereof;
- ~~ij. Washington~~ Forest Practices Act, Chapter 76.09 RCW, and Forest Practices Rules, Chapter Title 222 WAC and Regulations;
- ~~i. Kitsap County open space plan, April, 1987~~;
- ~~j. Kitsap County water and sewer plan~~;

~~jk. Kitsap County Bainbridge Island Comprehensive Plan, as updated in 2017, including all City Functional Plans and Special Purpose District Plans adopted by reference therein, and as amended thereafter;~~

~~l. Kitsap County View Blockage Resolution #240-1984;~~

~~m. Kitsap County noise ordinance;~~

~~n. Kitsap County zoning ordinance as amended March, 1990;~~

~~o. Kitsap County shoreline master program, July 11, 1977;~~

~~p. Winslow Ordinance 90-17~~

~~q. Kitsap regional critical area policies;~~

~~r. Kitsap County groundwater management plan dated April, 1991. (Ord. 92-06 § 1, 1992);~~

k. Bainbridge Island Climate Impact Assessment (EcoAdapt, July 2016);

l. Bainbridge Island Groundwater Model: Aquifer System Carrying Capacity Assessment (Aspect Consulting, March 2016);

m. Review Findings and Recommendations and Critical Aquifer Recharge Area Assessment (Aspect Consulting, December 2015);

n. Hydrogeological Assessment of Groundwater Quantity, Quality, and Production (Aspect Consulting, December 2015);

o. City of Bainbridge Island Level II Assessment (Kato & Warren, Inc., and Robinson & Noble, Inc., December 2000);

p. Stream Benthos and Hydrologic Data Evaluation for the City of Bainbridge Island (King County, December 2015);

q. Bainbridge Island Wildlife Corridor Network, 2000, and as amended thereafter;

r. Bainbridge Island Open Space Study, 2008, and as amended thereafter.

Section 2. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of ____, 2017.

APPROVED BY THE MAYOR this ____ day of ____, 2017.

By: _____
Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	March 27, 2017
PASSED BY THE CITY COUNCIL:	_____, 2017
PUBLISHED:	_____, 2017
EFFECTIVE DATE:	_____, 2017
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