

ORDINANCE NO. 2017-05

AN ORDINANCE of the City of Bainbridge Island, Washington, amending the title of Chapter 12.28 of the Bainbridge Island Municipal Code and Sections 12.28.010, 12.28.020, and 12.28.025 of that chapter to reference Current Planned Facilities Maps in the Non-Motorized Chapter of the Island-Wide Transportation Plan.

WHEREAS, the City has an Island-Wide Transportation Plan (“IWTP”) which identifies transportation needs, develops level of service standards, provides recommendations on major transportation needs, and supports the implementation of the City’s transportation goals and policies in the Transportation Element of the City’s Comprehensive Plan; and

WHEREAS, the City Council updated the IWTP in February 2017 as part of the Council’s Comprehensive Plan update process, and the IWTP is included as part of the Transportation Element of the Comprehensive Plan; and

WHEREAS, the Bainbridge Island Municipal Code needs to be updated to reference current planned facilities maps in the Non-Motorized Chapter of the Island-Wide Transportation Plan; now therefore,

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

Section 1. The title of Chapter 12.28 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

Chapter 12.28
~~COMPREHENSIVE~~ SIDEWALK PLAN

Section 2. Section 12.28.010 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

12.28.010 Maps adopted.

~~That certain map labeled “Comprehensive Sidewalk Plan,” dated June 1984, a copy of which has been on file~~ The non-motorized system plan maps in the office of the Island-Wide Transportation Plan, adopted by reference in the city’s comprehensive plan, designate non-motorized facilities for city clerk for use and examination by the public, is streets. Those non-motorized system plan maps are adopted by reference herein as the city’s comprehensive sidewalk non-motorized system plan.

Section 3. Section 12.28.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

12.28.020 Sidewalk required – Exception.

All projects requiring a building permit and located on property abutting any proposed sidewalk ~~as shown on the comprehensive sidewalk plan or as required by Chapter 12.36 BMC~~ shall provide sidewalks and curbs along the street front in accordance with the Island-Wide Transportation Plan, including the non-motorized system plan maps included in that plan. Such sidewalk construction shall meet the approval of the city engineer and shall provide appropriate curb crossings for vehicular ingress and egress; provided, that this section shall not apply to minor remodeling or repair which does not increase the size or the area of structure, ~~existing on June 1, 1984.~~

Section 4. Section 12.28.025 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

12.28.025 Deferral of construction authorized.

Installation of any of the improvements herein required may be deferred if the land use administrator determines that the abutting street grade cannot be established at the time of proposed construction or that existing curb and sidewalks are adequate to serve the development in question. In either case the owner of the abutting property shall execute a covenant in a form approved by the city which runs with the land being developed and which provides for installation of sidewalks and other street ~~improvement~~ improvements at a specified later date. The covenant shall provide that the improvements shall be installed to city standards when any one of the following first occurs:

- A. The grade of the abutting street is established;
- B. The abutting street is improved through an LID, ULID, or other funding method;
- C. Similar improvements are constructed on adjacent property; or
- D. When existing sidewalks and/or curbs are inadequate ~~in the opinion of~~ as determined by the city engineer.

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

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NUMBER: 2017-05