



**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, JANUARY 08, 2019**

BAINBRIDGE ISLAND CITY HALL
280 MADISON AVENUE N.
BAINBRIDGE ISLAND, WASHINGTON

AGENDA

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
- 2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
- 3. PUBLIC COMMENT - 6:05 PM**
- 4. MAYOR'S REPORT - 6:10 PM**
- 5. CITY MANAGER'S REPORT**
- 6. UNFINISHED BUSINESS**
 - 6.A (6:15 PM) Resolution No. 2019-05 Relating to Approval of and Submittal to the Washington State Department of Ecology Amendments to the Shoreline Master Program (SMP) Relating to Integration of Critical Areas Regulations and Nonconforming Structures, Uses, and Lots - Planning, 15 Minutes
[20190108 CC Staff Memo SMP Amendment](#)
[Resolution No. 2019-05 Approving Draft SMP amendment and authorizing transmittal of the amendment to Ecology](#)
[20190108 Draft SMP Amendment -- Critical Areas and Nonconforming -- All track changes.pdf](#)
[20190108 Draft SMP Amendment -- Clean Section 4.1.5 -- Critical Areas.docx](#)
[20190108 Draft SMP Amendment -- Clean Section 4.2.1 -- Nonconforming.docx](#)
 - 6.B (6:30 PM) Resolution No. 2019-08 (Formerly Resolution No. 2018-33), Relating to Transportation Benefit District Fee Increase - Finance, 10 Minutes
[Resolution No. 2019-08 Approving an Increase to Vehicle License Fee](#)
 - 6.C (6:40 PM) Resolution No. 2019-07 (Formerly Resolution No. 2018-38), Updating Financial Policies Relating to Use of Transportation Benefit Fund Fee Increase - Finance, 10 Minutes
[Resolution No. 2019-07, Updating the City's Financial Policies](#)

- 6.D (6:50 PM) Resolution No. 2019-06, Directing Use of Additional Vehicle License Fee Revenue - Finance, 15 Minutes
[Resolution No. 2019-06 Specifying Use of Revenue From Increased Vehicle License Fee Councilmember Tirman Memo TBF December 10, 2018.docx](#)
- 6.E (7:05 PM) Discussion of WSDOT Response to Proposed Design of Visconsi Trail Segment - Public Works, 15 Minutes
[WSDOT design guidance Visconsi Trail.docx](#)
[Conceptual Trail Alignment 2018-02-13.pdf](#)
[Proposed Alignment_CCmtg_2018-04-17.pptx](#)

7. NEW BUSINESS

- 7.A (7:20 PM) Village Pump Station Replacement Project Change Order No. 3 - Public Works, 10 Minutes
[Village Pump Station Project Change Order No. 3](#)
- 7.B (7:30 PM) Resolution No. 2019-02, Updating the Administrative Manual for the Department of Planning and Community Development to Address Amendments to Chapter 2.16 BIMC - Planning, 10 Minutes
[Resolution No. 2019-02 PCD Administrative Manual Chapter 2.16 BIMC Updates.docx](#)
[20190108 Administrative Manual.docx](#)
- 7.C (7:40 PM) Resolution No. 2019-01 to Update the City Fee Schedule - Finance, 10 Minutes
[Resolution No. 2019-01 - Amending Fee Schedule](#)
- 7.D (7:50 PM) Resolution No. 2019-09, Rescinding Prior Decisions to Surplus Certain City-Owned Real Property - Executive, 15 Minutes
[Staff Memo re Res 2019-09 re Removal of Surplus Designation for Certain Properties](#)
[Resolution No. 2019-09 \(Formerly 2018-37\) Rescinding Prior Decisions to Surplus Certain City-Owned Real Property](#)
[2018 Surplus Property Report](#)
- 7.E (8:05 PM) Agreement for Provision of Juvenile Detention Facilities - Police, 5 Minutes
[2019 Juvenile Detention Facilities Agreement](#)

8. CITY COUNCIL DISCUSSION

- 8.A (8:10 PM) Process to Select Facilitator for Community Workshop on Youth Mental Health - Mayor Medina, 10 Minutes
- 8.B (8:20 PM) Discuss Recent Complaint against Councilmember - Mayor Medina, 10 Minutes

9. CONSENT AGENDA

- 9.A (8:30 PM) Agenda Bill for Consent Agenda, 5 Minutes

- 9.B Accounts Payable and Payroll
[Report to Council of Cash Disbursements 01-09-19.pdf](#)
[Report to Council of Cash Disbursements 12-26-18.pdf](#)
[Payroll.pdf](#)
- 9.C Special City Council Study Session Minutes, December 4, 2018
[CCMIN 120418 SPECIAL STUDY SESSION](#)
- 9.D City Council Regular Business Meeting Minutes, December 11, 2018
[CCMIN 121118 BUSINESS](#)
- 9.E Ordinance No. 2019-01 (Formerly Ordinance No. 2018-46), Creating a Uniform Process for the Removal and Resignation of Members of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen Advisory Committees - Mayor Medina, 5 Minutes
[Ordinance No. 2019-01 Creating a Uniform Process for the Removal of Members of City Advisory Bodies](#)

10. COMMITTEE REPORTS

- 10.A (8:35 PM) Committee Reports, 5 Minutes
[Climate Change Advisory Committee Minutes, October 17, 2018](#)
[Climate Change Advisory Committee Minutes, November 28, 2018](#)
[Environmental Technical Advisory Committee Minutes, November 15, 2018](#)
[Environmental Technical Advisory Committee Minutes, November 19, 2018](#)
[Multi-Modal Transportation Advisory Committee Minutes, October 10, 2018](#)
[Multi-Modal Transportation Advisory Committee Minutes, November 14, 2018](#)
[Utility Advisory Committee Minutes, November 14, 2018](#)

11. FOR THE GOOD OF THE ORDER - 8:40 PM

12. ADJOURNMENT - 8:50 PM

GUIDING PRINCIPLES

Guiding Principle #1 - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

Guiding Principle #2 - Manage the water resources of the Island to protect, restore and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations.

Guiding Principle #3 - Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

Guiding Principle #4 - Consider the costs and benefits to Island residents and property owners in making land use decisions.

Guiding Principle #5 - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

Guiding Principle #6 - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Guiding Principle #7 - Reduce greenhouse gas emissions and increase the Island's climate resilience.

Guiding Principle #8 - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



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CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (6:15 PM) Resolution No. 2019-05 Relating to Approval of and Submittal to the Washington State Department of Ecology Amendments to the Shoreline Master Program (SMP) Relating to Integration of Critical Areas Regulations and Nonconforming Structures, Uses, and Lots - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

Approve the draft SMP amendment and authorize staff to submit the amendment to the Department of Ecology for their initial review.

SUMMARY:

Staff anticipates that the City Council will: (a) provide input on revised language related to essential single family residential accessory structures, Section 4.0.1.7, and the definition of nonconforming structures; and (b) approve Resolution 2019-05 authorizing staff to submit the draft SMP amendment to the Department of Ecology.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

Three documents are provided for this agenda item:

- The draft SMP amendment in strikethrough/underline format, highlighting the City Council's requested revisions related to essential single-family residential accessory structures.
- Clean versions of the draft SMP amendment (for better readability) -- only Section 4.1.5 (Critical Areas) and 4.2.1 (Nonconforming).
- Resolution 2019-05, approving the draft SMP amendment related to critical areas and nonconforming structures, uses, and lots and authorizing staff to submit the draft amendment to the Department of Ecology for initial state review.

ATTACHMENTS:

[20190108 CC Staff Memo SMP Amendment](#)

[Resolution No. 2019-05 Approving Draft SMP amendment and authorizing transmittal of the amendment to Ecology](#)

[20190108 Draft SMP Amendment -- Critical Areas and Nonconforming -- All track changes.pdf](#)

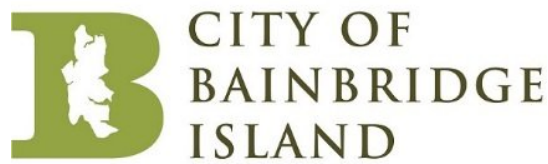
[20190108 Draft SMP Amendment -- Clean Section 4.1.5 -- Critical Areas.docx](#)

[20190108 Draft SMP Amendment -- Clean Section 4.2.1 -- Nonconforming.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



Department of Planning and Community Development

Memorandum

Date: January 8, 2019
To: City Council
From: Christy Carr, AICP
Senior Planner
Subject: Shoreline Master Program Amendment

I. INTRODUCTION – WHERE WE LEFT OFF

At its December 11, 2018 business meeting, the City Council directed staff to bring back language differentiating between single family accessory structures and essential single family accessory structures. No other changes to the draft amendment were requested by the City Council. The City Council did not provide any input on other proposed revisions or policy questions.

With the exception of deleting the aquifer recharge protection area (ARPA) from the critical areas chapter and some minor word choice revisions, no changes were made based on public comments as provided in the summary of public comments provided at the December 11, 2018 City Council meeting.

As such, the draft amendment is relatively unchanged from the September 11, 2018 public hearing draft, with the following exceptions, highlighted in yellow:

- The ARPA is deleted.
- The allowable expansion for single-family primary structures changed from no limit to a limit of up to 500 square feet (footprint expansion) over the life of the structure.
- The term “essential single family residential accessory structure” is retained, and these structures may be rebuilt in the same footprint if destroyed by any means.
- (Non-essential) residential accessory structures must be rebuilt to current standards if destroyed by any means.

II. ADDITIONAL REVISIONS NEEDING COUNCIL REVIEW

In addition, staff is requesting input on revised language not previously discussed by the City Council, highlighted blue:

- Revisions to SMP 4.0.1.7, related to conflicts within the SMP and with the Bainbridge Island Municipal Code (BIMC).
- Revisions to the definition of nonconforming structures.

SMP 4.0.1.7: This section has been referred to as “the most restrictive clause” and is seen by some members of the public as a means to apply the most restrictive or onerous standard, even if it is not applicable. While, to staff’s knowledge, this has not occurred even once since the adoption of the City’s 2014 SMP, staff would like input from the City Council on whether or not to change the language in SMP 4.0.1.7.

The City currently handles conflicts between code sections in one of two ways: (1) by making a code interpretation under BIMC 2.16.020.D.3 when a person files an interpretation request; or (2) by making an interpretation as part of the processing of a development application. Both of these actions result in an appealable decision. Ecology suggested the language in the public hearing draft SMP in order to avoid creating a separate process and to essentially make the default the interpretation that best meets the objectives and purposes of the Shoreline Management Act. Subsequently, staff developed the following revised language to be more specific (new language is underlined and strikeout text is used to show language to be removed):

Public
hearing
draft
language

Where provisions of this Master Program or other provision in BIMC conflict, liberal construction pursuant to RCW 90.58.900 shall apply to give full effect to the objectives and purposes of the Act. ~~the more restrictive provisions shall apply unless specifically stated otherwise.~~

Proposed
revised
language

Where provisions of this Master Program or other provisions in BIMC conflict, ~~the more restrictive provisions shall apply unless specifically stated otherwise.~~ the conflict shall be resolved by the Director of Planning and Community Development by applying the provision that provides the most protection of shoreline ecological functions consistent with the purposes and intent of the Shoreline Management Act. If the Director’s decision is made in response to a code interpretation request filed under BIMC 2.16.020.D, the decision shall be appealable in the same manner as other code interpretations. If the Director’s decision is made in the processing of a development permit, the Director’s decision shall be appealable as part of the permit decision.

Definition of nonconforming structures: The current recommendation from the Planning Commission is to do away with the “existing development” term and instead rely on the more commonly used “nonconforming structure.” In the draft language recommended by the Planning Commission, the term “nonconforming structure” means

an existing structure that was lawfully constructed prior to the effective date of this Program (November 26, 1996), as amended, but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the Program.

This definition is based on WAC 173-27-080, which says that:

“Nonconforming development” or “nonconforming structure” means an existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program.

Staff believes that using the nonconforming structure terminology would make the code clearer by resolving concerns raised by the public with regard to the use of a specific date. Staff recommends

revising what is currently being proposed by the Planning Commission and instead using the WAC definition as stated above, pending input from the City Council.

III. Tonight's Agenda Item

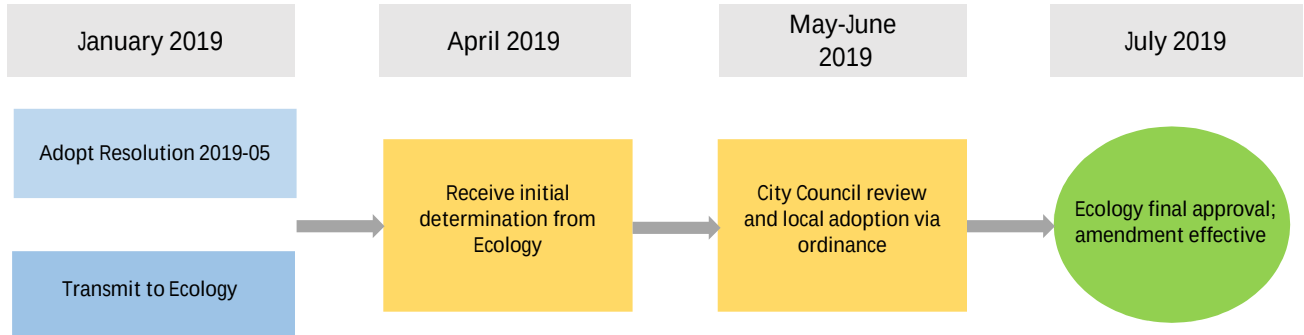
Three documents are provided for tonight's agenda item:

- The draft SMP amendment in strikethrough/underline format, highlighting Council's requested revisions related to essential residential accessory structures and miscellaneous revisions outlined above.
- Clean versions of the draft SMP amendment (for better readability), including only those pages with significant changes (Section 4.1.5 and 4.2.1) – the clean versions do not include revisions in the full draft SMP amendment that have not received Council approval.
- Resolution 2019-05, Approving the draft SMP amendment related to critical areas and nonconforming structures, uses, and lots and authorizing staff to transmit the draft amendment to the Department of Ecology.

Staff anticipates that the City Council will: (a) provide input on revised language related to essential single family residential accessory structures, SMP 4.0.1.7, and the definition of nonconforming structures; and (b) approve Resolution 2019-05 authorizing staff to transmit the draft SMP amendment to the Department of Ecology.

IV. Next Steps

Once the City Council adopts Resolution 2019-05, staff will transmit the draft SMP amendment to Ecology for initial review.



RESOLUTION NO. 2019-05

A RESOLUTION of the City of Bainbridge Island, Washington, approving a draft Shoreline Master Plan amendment relating to critical areas regulations and nonconforming structures, uses, and lots and directing staff to submit the draft to the Department of Ecology for initial state review pursuant to WAC 173-26-104.

WHEREAS, the Washington Shoreline Management Act (Chapter 90.58 RCW), referred to herein as the “SMA”), recognizes that shorelines are among the most valuable and fragile resources of the state, and that state and local governments must establish a coordinated planning program to address the types and effects of development occurring along shorelines of state-wide significance; and

WHEREAS, pursuant to the SMA, the City of Bainbridge Island (“City”) adopted a comprehensive update to its Shoreline Master Program (Ordinance No. 2014-04) in 2014; and

WHEREAS, WAC 173-26-090(1) directs local governments to review their shoreline master program and make amendments deemed necessary to reflect changing local circumstances, new information, or improved data; and

WHEREAS, the SMA and Chapter 173-26 WAC require that the City prepare and adopt amendments to the City’s Shoreline Master Program that are based on state laws and rules set forth in Chapter 173-26 WAC; and

WHEREAS, RCW 36.70A.480(4) requires that shoreline master programs provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources; and

WHEREAS, on February 27, 2018, the City updated its Critical Areas Ordinance (“CAO”) (Ordinance 2018-01); and

WHEREAS, the City desires to integrate the updated critical areas regulations into its Shoreline Master Program; and

WHEREAS, the City’s updated critical areas regulations cannot be integrated into its Shoreline Master Program without an amendment; and

WHEREAS, at its October 12 and November 16, 2017, April 26, and August 30, 2018 meetings, the Planning Commission reviewed draft amendments to the Shoreline Master Program related to critical areas; and

WHEREAS, at its January 11, February 8, March 8 and 29, April 12 and 19, and August 30, 2018 meetings, the Planning Commission reviewed draft amendments to the Shoreline Master Program related to nonconforming structures, uses, and lots; and

WHEREAS, the City elected to use the optional joint review process for amending shoreline master programs pursuant to WAC 173-26-104; and

WHEREAS, the City and the Department of Ecology provided a 30-day formal comment period on a draft amendment related to critical areas regulations between May 8 and June 9, 2018, including a joint local/state public hearing on May 24, 2018 to consider the draft amendment; and

WHEREAS, the joint local/state public hearing on May 24, 2018 was continued to June 7, 2018; and

WHEREAS, at its June 7, 2018 meeting, the Planning Commission recommended that the draft amendment not be forwarded to the Department of Ecology until proposed revisions related to nonconforming structures, uses, and lots were included; and

WHEREAS, at its July 24, 2018 meeting, the City Council directed staff to include nonconforming structures, uses, and lots in the draft amendment and schedule a public hearing on the amendment on September 11, 2018; and

WHEREAS, the City and the Department of Ecology provided a 30-day formal comment period on a draft amendment related to critical areas regulations and nonconforming structures, uses, and lots between September 10 and October 10, 2018, including a joint local/state public hearing on September 11, 2018 to consider the draft amendment; and

WHEREAS, in accordance with WAC 173-26-104 and RCW 36.70A.106, a Notice of Intent was transmitted to the Washington State Department of Commerce; and

WHEREAS, a Determination of Non-Significance consistent with the State Environmental Policy Act (Chapter 43.21C RCW) was published, and no person filed an appeal; and

WHEREAS, at its October 2, 9, and 16, November 27, and December 11, 2018 and January 8, 2019 meetings, the City Council considered and deliberated about the draft amendment, including related to the public comment that was submitted regarding the amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. The City's draft Shoreline Master Program amendment is hereby approved as shown on the attached **Exhibit A**, which is hereby incorporated into this resolution as if set forth in full.

Section 2. The Director of Planning and Community Development is authorized to submit the draft Shoreline Master Program amendment and all supporting documentation required to accompany the Shoreline Master Program amendment to the Washington State Department of Ecology for initial review in accordance with WAC 173-26-104.

PASSED by the City Council this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	January _____, 2019
PASSED BY THE CITY COUNCIL:	_____, 2019
RESOLUTION NO.	2019-05

Exhibit A: Draft Shoreline Master Program Amendment

READER'S GUIDE

The draft amendment focuses on revisions related to critical areas and nonconforming structures. The majority of proposed revisions are located in:

- SECTION 4.1.5, CRITICAL AREAS – PAGES 104-157
- SECTION 4.2.1, NONCONFORMING USES, NONCONFORMING STRUCTURES, AND NONCONFORMING LOTS – PAGES 168-181
- SECTION 8.0, DEFINITIONS – PAGES 276-321

**PROPOSED AMENDMENTS ARE SHOWN IN
~~RED STRIKETHROUGH~~/UNDERLINE TEXT.**

Other minor changes are located throughout the document to create consistency with the revisions made in the above changes (section titles, internal references, etc.).

Other minor changes that we brought up during the Planning Commission review and public process – related to applicability and conflict – are located on page 18 and 38.

Yellow highlights show text requested by the City Council at the December 11, 2018 City Council meeting not yet approved by the City Council.

Blue highlights show text suggested by staff not yet approved by the City Council.

City of Bainbridge Island Shoreline Master Program

The Bainbridge Island Shoreline Master Program was prepared under the guidance of citizen Shoreline Work Groups who met regularly with the City and the project facilitator during Master Program development. The City would like to thank the citizen work groups; Bainbridge Island Planning Commission; Bainbridge Island City Council; Katharine Cook, Planning Director; Libby Hudson, Long Range Planning Manager; Ryan Ericson, Associate Planner; Theresa Rice, Department Secretary; and all other citizen and group participants for their assistance in the completion of this project. Original art was prepared by Steve Kennel, who retains all copyrights to that work. Front cover by John Owen.

Shoreline New and Existing Development Work Group

John Anderson	Mark Dawson*	Greg Hepp
Andy Mueller*	Charles Schmid*	Ken Sethney*
Al Solonsky		

Shoreline Setback and Vegetation Conservation Work Group

Kathleen Dwyer	Jeanne Huber	Lisa Macchio*
J. Mack Pearl*	Alice Tawresey*	Gary Tripp
Elise Wright		

Shoreline Modification Work Group

John Barutt*	John Bomben*	Wayne Daley*
Stephen Ekholm	Marcia Lagerloef	David McCaughey
Eric Rehm	Bruce Taft	

*Also Served on the Task Force

Planning Commission

Michael Lewars, Chair	Martin Minkoff, Vice-Chair	Martha Droge
Don Fisher	Maradel K. Gale	J. Mack Pearl
Michael Wangen		

City Council

Ann Blair	Sarah Blossom	Steve Bonkowski
Wayne Roth	Val Tollefson	Roger Townsend
David Ward		

Questions regarding this Master Program should be directed to:

City of Bainbridge Island
280 Madison Avenue North, Bainbridge Island, WA 98110
(206) 842-2552

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1.0 Introduction

1.1 Shoreline Master Program Introduction

This Shoreline Master Program (SMP) establishes regulations, enforcement procedures and policies for protection and development of Bainbridge Island's shoreline areas. The regulations in the SMP state specific legal requirements which future development must follow. The regulations in the SMP are part of the City's development regulations. The policies in the SMP state the underlying objectives the regulations are intended to accomplish. The policies are a component of the City's Comprehensive Plan and guide the interpretation and enforcement of the Shoreline Master Program's regulations. The policies are not regulations in themselves and, therefore, do not impose requirements beyond those set forth in the regulations.

1.1.1 Purpose and Intent

The Shoreline Master Program is intended to implement the Shoreline Management Act of 1971 (Chapter 90.58 Revised Code of Washington) by:

- Planning for and guiding the orderly development of the shoreline in a positive, effective, and equitable manner, protecting and restoring shoreline resources, and helping to assure public access to the shoreline;
- Promoting the health, safety, and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for use and development of Bainbridge Island's shorelines;
- Ensuring, at minimum, no net loss of shoreline ecological functions and ecosystem-wide processes;
- Planning for the restoration of shorelines that have been impaired or degraded in the past and in a manner that educates the community in the use and protection of its shorelines;
- Adhering to and fostering the policies of the Act contained in RCW 90.58.020 for shorelines of the state; and
- Improving the water quality of the Puget Sound.

1.2 Requirements of the Shoreline Management Act

In June 1971, the Washington State Legislature approved a comprehensive regulatory program for shorelines of the state with the adoption of the Shoreline Management Act of 1971 ("SMA" or "Act"). The Act carried with it provisions for a vote by the people and in November 1972, the people of the State of Washington enacted the Shoreline Management Act (Chapter 90.58 RCW). The Act's paramount objectives are to protect and restore the valuable natural resources that shoreline represent, and to plan for and foster all "reasonable and appropriate uses", including single-family development, that are dependent upon a waterfront location or that offer the opportunities for the public to enjoy the state's shoreline. With this clear mandate, the Shoreline

Management Act establishes a planning and regulatory program, initiated at the local level under state guidelines.

1.2.1 Shoreline Management Act Administration

Administration of the Act is a cooperative effort balancing local and statewide interest in the management and development of shoreline areas by requiring local government to plan (via the SMP) and regulate (via permits) shoreline development. Local government actions are monitored by the Washington State Department of Ecology (Ecology), which approves new or amended SMPs, reviews substantial development permits, and approves shoreline Conditional Use permits and Variances. The SMP is essentially a shoreline comprehensive plan with distinct environmental orientation applicable to shoreline areas and customized to local circumstances. Collectively, the local master programs comprise the State SMP. By law, the City is responsible for the following:

1. Preparation of a SMP in accordance with the policies and requirements of the Act and the State Master Program Approval/Amendment Procedures and Master Program Guidelines (the “Guidelines” or “Shoreline Master Program Guidelines”; Chapter 173-26 WAC). The purpose of a SMP is to protect shoreline resources, manage the uses and activities on local shorelines, and assure continued public use of waters of the state.
2. The Act specifies that local SMPs include goals and policy statements for each of the required elements and take into account economic development, public access, circulation and transportation, and recreation. Local government is further encouraged to identify any other elements that are deemed appropriate and necessary to implement the intent of the Act, and to develop goals and policies for those additional elements.
3. Master program regulations are developed and adopted by local government to implement the goals and policies for each of the elements. These regulations address various types of shoreline development, including agriculture, aquaculture, forest management, commercial development, marinas, mining, outdoor advertising and signs, residential development, utilities, ports and water-related industries, bulkheads, breakwaters, jetties and groins, landfills, solid waste disposal.
4. Administration of a shoreline permit system to further the goals and policies of both the Act and the local SMP for proposed substantial development within two hundred (200) feet of the ordinary high water mark (OHWM) of designated water bodies. [Local government has the option to adopt the administrative process as part of the SMP or as a reference document not considered part of the SMP. This allows local government to make changes without the need of a SMP amendment. See WAC 173-26-191(2)(a)(iii)(C).]
5. Development of an inventory of natural characteristics and land use patterns along those designated water bodies. Local governments are required to prepare a detailed shoreline inventory that provides the foundation for development of a system that classifies the shoreline into distinct shoreline “environments” These environments, or designations, provide the framework for implementing shoreline policies and regulatory measures.

6. Local governments have the primary responsibility for initiating the planning program and administering the regulatory requirements. The City of Bainbridge Island SMP must be consistent with the policies and requirements of the Act and the Guidelines. The role of the Department of Ecology is to provide support and review of the SMP and subsequent shoreline development permits and approvals and ensure compliance with the policies and provisions of the Act.

1.2.2 Scope of Shoreline Management Act

The Act covers all shorelines of the state, including “shorelines” and “shorelines of state-wide significance.” Figure 1-1 illustrates shoreline jurisdiction on coastal shorelines.

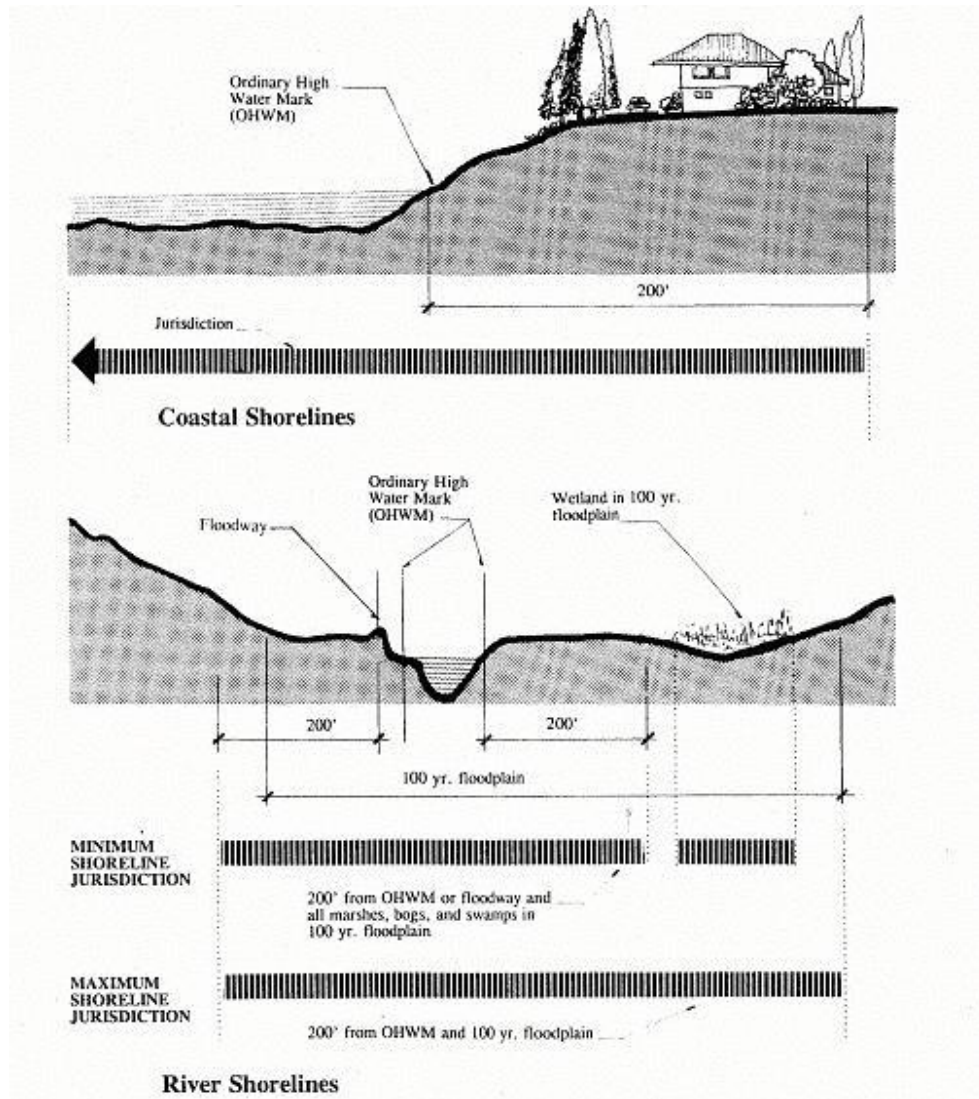


Figure 1-1 Shoreline Jurisdiction

Provisions of the Act apply to the following geographical shoreline areas:

1. All marine waters of the state, together with the lands underlying them;
2. Segments of streams and rivers where the mean annual flow is more than 20 cubic feet per second (cfs);
3. Lakes and reservoirs 20 acres and greater in area;
4. Shorelands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous flood plain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters; and
5. Shorelines of state-wide significance as defined in RCW 90.58.030 or its successor. This includes those areas of Puget Sound lying seaward from the line of extreme low tide.

1.2.3 Development of the City's Shoreline Master Program

The City of Bainbridge Island adopted a SMP in 1996 after annexation of the entire Island occurred in March 1991. Prior to annexation, Bainbridge Island's shorelines were managed under the Kitsap County SMP and the City of Winslow SMP. The goals and policies in the SMP are an element of the City's Comprehensive Plan. All other portions of the SMP, including the use of regulations, are part of the City's development regulations.

The "precautionary principle" was employed as guidance in updating the policies and regulations of this SMP. The "precautionary principle" is cited in the State Shoreline Guidelines under WAC 173-26-201(3)(g) and states, in part that "as a general rule, the less known about existing resources, the more protective shoreline master program provisions should be to avoid unanticipated impacts to shoreline resources."

1.2.4 Public Involvement

Public participation strategies were used in developing the SMP adopted in 1996, and updating the SMP in 2012.

For the 1996 SMP, the City convened a citizen committee that worked from 1991-1993 to develop the first SMP for the City of Bainbridge Island. In addition, approximately 45 citizen volunteers participated in a shoreline survey. The City used a variety of tools for public outreach, and conducted several public meetings, special topic meetings, and public hearings.

In updating this SMP, the City first developed a public participation plan with the community in March 2010. The public participation plan was accepted by the City Council in May, 2010, and the City used the plan as a guide for public involvement and notification throughout the update process. An SMP Ad Hoc Committee composed of two members from the City Council and two members from the Planning Commission also helped guide the public participation process.

The public participation plan developed with the community identified the following key challenges and opportunities:

- Build Common Understanding
- Clearly Address the Use of Science
- Engage the Community
- Allow Respectful Dialog
- Sustain Community Involvement
- Formed Ad Hoc Committee

To meet these challenges, the City developed the following outreach components:

- Set up the SMP Update web page
- Identified stakeholders in the SMP Update process
- Created community outreach list
- Developed a Shoreline Education series to inform the community and decision makers about the natural resource processes and the legal requirements of updating the SMP.

At the Shoreline Education series, experts in the field presented information related to the SMP Update and Bainbridge Island. At the end of each presentation, there was an open discussion with the presenter related to issues of the SMP Update. Each of these educational events was advertised and filmed, and the video was made available on the City's SMP Update webpage. The education series included the following topics:

- June 3, 2010, Event #1 Ecology's Role in the SMP Update with Department of Ecology representatives Geoff Tallent, Regional Manager, and Barbara Nightingale, the City's Ecology Project Officer and primary contact;
- June 17, 2010, Event #2, Shoreline Processes with Hugh Shipman, coastal geologist with the Dept. of Ecology's Shorelands and Environmental Assistance program and Jeff Adams, Marine Water Quality Specialist with Washington Sea Grant;
- June 22, 2010, Event #3, Property Rights/Listening Session with Dawn Findlay Reitan, Interim City Attorney from the firm of Inslee Best;
- July 8, 2010, Event #4, Coastal Bluffs and Beaches with Jim Johannesen, principal scientist at Coastal Geological Services; and
- July 27, 2010, Event #5, Nearshore Assessment with Ron Thom, who leads the Coastal Assessment and Restoration group at Battelle's Marine Sciences Laboratory.

Citizen Committees

The City solicited citizen volunteers and formed topic-based workgroups to assist in drafting revisions to SMP policies and regulations that reflected the requirements of the State SMP Guidelines and community values. Four community organizations (Bainbridge Shoreline Property Owners, Bainbridge Concerned Citizens, Association for Bainbridge Communities, and Bainbridge Island People for Puget Sound) self-selected members to represent their organization on the SMP Workgroups. The remaining volunteers were selected by the SMP Ad Hoc

Committee. The three topic-based workgroups focused on major issues of the program. A fourth committee, the SMP Task Force, was formed from members selected from each of the three topic-based workgroups. The committees drafted the revisions between September 2010 and August 2011, over the course of approximately 45 public meetings. The citizen committee's recommendations were made available on the City's website for public review and forwarded to the Planning Commission in July 2011. Public comment was accepted throughout the process, and comments were posted on the City's website.

From July 2011 through March 2012, the Planning Commission reviewed the recommendations and made amendments. Public comment opportunity was provided at each of the Planning Commission's seventeen study sessions. A public hearing on the draft amendments was held on March 29, 2012. The Commission considered public comment and approved the draft on April 12, 2012, and forwarded their recommendation to the City Council for consideration.

The City Council considered the Planning Commission recommendations conducting eleven (11) study sessions from May 2012 to April 2013, and holding a public hearing on May 8, 2013. The Council approved the amendments on May 15, 2013 and forwarded the program to the Department for review on June 7, 2013. After the City held a final public hearing on the draft on July 14, 2014, the Department of Ecology approved the amended program on July 16, 2014.

1.3 Bainbridge Island's Shoreline Master Program (SMP)

1.3.1 Bainbridge Island's Shorelines

Bainbridge Island has approximately 53 miles of waterfront. (See Figure 1-2 Map of Bainbridge Island.) It has seven harbors or bays, each having a long and interesting history and a wide variety of uses. Eagle Harbor has the most activity, including a ferry landing, boatyard repair, a boatyard, numerous marinas and restaurants, a waterfront park, a Superfund site, condominiums, detached homes, and a live-aboard community. Most of the Bainbridge Island's shorelines have been developed with single-family residences, from small summer cabins to large mansions. Their locations range from below ordinary high water to high water cliffs nearly 200 feet above the water. At the north end of the island is a large sand spit called Point Monroe, while at the south end is Restoration Point, composed of raised bedrock located on the Seattle fault.

Bainbridge Island's shorelines exhibit many uses and geologic characteristics. The shoreline is home for about twenty percent of the island residents, as well as numerous species of fish and wildlife. Bald eagles, herons, seals, otters, and numerous waterfowl depend on the shoreline. There are also salmon streams and bays necessary for fish, shellfish, clams, and vegetation to survive. At the south end of the island is an aquaculture farm for salmon. In short, Bainbridge Island's shorelines support a wide variety of life.

Located on the eastern border of Kitsap County, Bainbridge Island is connected to the rest of Kitsap County by one bridge and to Seattle (King County) by a 35-minute ferry ride. Because of its proximity to Seattle, the island has close cultural and economic ties to Seattle. Approximately 23,000 people currently live on Bainbridge Island. The population increased from 15,846 in 1990 to 23,090 in 2012. Until 2008 with the national economic decline, the Island

grew at a fairly steady rate of approximately 300 people each year. This increased growth, reflected in higher waterfront land values and taxes, along with a growing concern for the environment, motivated citizen participation in the update of the SMP. The program must strike a balance between imposing regulatory powers for the benefit of the community at large and the rights of the individual property holder. Fortunately, the Act and the public trust doctrine provide the guidance to create a program which recognizes both of these values.

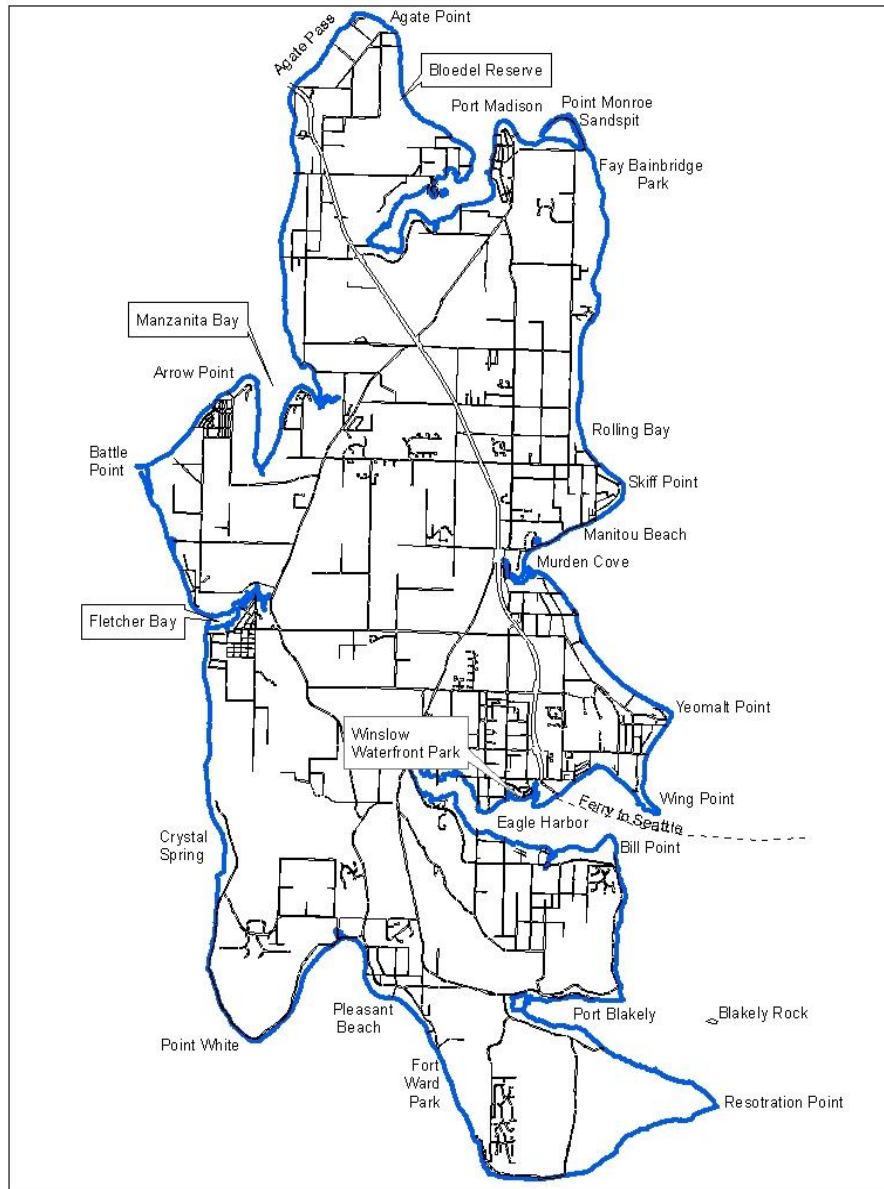


Figure 1-2 Map of Bainbridge Island

1.3.2 Title

This document shall be known as the Bainbridge Island Shoreline Master Program (“the Shoreline Master Program,” “Master Program,” “the Program”, or the “SMP”).

1.3.3 Adoption Authority

This Bainbridge Island Shoreline Master Program is adopted under the authority granted by Chapter 90.58 RCW and Chapter 173-26 WAC.

1.3.4 Relationship to Other Plans and Regulations

The Shoreline Master Program regulations are used as an overlay to other City policies and regulations for properties within shoreline jurisdiction. The following provisions apply to this program in relationship to other plans and regulations:

1. In addition to compliance with the provisions of the Shoreline Management Act of 1971 (also called “the Act”; RCW 90.58) and the State Master Program Approval/Amendment Procedures and Master Program Shoreline Guidelines (the “Guidelines” or “Shoreline Master Program Guidelines”; WAC 173-26);, this Shoreline Master Program must be consistent with local plans and policy documents, specifically, the City’s Comprehensive Plan and the City’s critical areas regulations. This Shoreline Master Program must be consistent with the regulations developed by the City to implement its plans, such as the zoning code and subdivision code, as well as regulations relating to building construction and safety.
2. Uses and developments regulated by this Program may also be subject to other provisions of the Bainbridge Island Municipal Code, the City of Bainbridge Island Comprehensive Plan, the Washington State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC), Chapter 173-27 WAC Shoreline Management Permit and Enforcement Procedures, and other local, state and federal laws.
3. Project proponents are responsible for complying with all applicable laws prior to commencing any use, development or activity.
4. Where this Program makes reference to any RCW, WAC, or other state or federal law or regulation the most recent amendment or current edition shall apply.
5. In the event of a conflict between the provisions of this program and the laws, regulations, codes or rules of any other authority having jurisdiction within the City, the regulations that provide more protection to the shoreline area shall apply, except when constrained by federal or state law, or where specifically provided otherwise in this Program.
6. Other activities that could occur along the shoreline (starting bonfires, disposing or spilling/releasing of regulated or hazardous waste products, use of pesticides, activities within wetlands) may require other permits, review, or approval not identified here.

1.3.5 Applicability of Bainbridge Island Shoreline Master Program

1. The Bainbridge Island Shoreline Master programs applies to 200 feet landward of ordinary high water mark and all marine waters out to the midline of Puget Sound, Port Madison, Agate Pass, Port Orchard and Rich Passage. The SMP does not apply to freshwater lakes or streams on Bainbridge Island.
2. The provisions of ~~the~~ this Program apply to both existing and new development, uses, lots, and activities as follows: and are not retroactive:
 - a. Development, uses, lots, and activities lawfully occurring, established or constructed prior to the effective date of the initial adoption of the this Program (November 26, 1996), or amendments thereto, are not required to meet this Program’s requirements, unless new development or changes to a development, use, lot or structure that would require review under this Program are proposed.
 - b. All existing legally constructed single-family residences and accessory structures, including lawns, landscaping and recreation areas, which do not meet the ~~adopted~~ standards of this ~~Shoreline Master Program~~ are allowed to continue, and are allowed to ~~may~~ be maintained, repaired, and remodeled or replaced. ~~if destroyed or damaged by natural causes as provided in Section 4.2.1 Nonconforming Uses, Nonconforming Lots, and Existing Development.~~
 - c. ~~Residences may be expanded, provided the expansion meets the provisions of this Program, including addressing environmental impacts and meeting the standard for no net loss of ecological functions and ecosystem wide processes as provided in Section 4.1.2, Environmental Impacts.~~ All proposed uses and development occurring within shoreline jurisdiction must conform to be consistent with Chapter 90.58 RCW, the Shoreline Management Act and this ~~Shoreline Master Program~~.
 - d. ~~All u~~Uses and activities that do, even those not meeting the definition of development, are may be subject to the provisions and development regulations of this Shoreline Master Program, even though a permit may not be required.
3. Any person wishing to undertake activities constituting “development” within shoreline jurisdiction shall apply to the Administrator for a Shoreline Permit. Based on the provisions of this Master Program, the Administrator shall determine if a Letter of Exemption, a Substantial Development Permit, a Shoreline Conditional Use Permit, and/or a Shoreline Variance is required. Substantial development shall not be undertaken within the jurisdiction of the Act and this Master Program unless a Substantial Development Permit has been obtained and the appeal period has been completed and any appeals have been resolved and/or the project proponent is allowed to proceed under the provisions of the Act or by court order. “Substantial development” shall be defined as it is by the Act (RCW 90.58.030) and supplementing provisions of the Washington Administrative Code (WAC 173-27-040).
4. Developments exempt from a Substantial Development Permit, which are outlined in BIMC Section 2.16.165, shall require a Letter of Exemption. A project that qualifies as “exempt

development” may also require a Shoreline Conditional Use Permit, and/or a Shoreline Variance.

5. This Master Program shall apply to every individual, firm, partnership, association, organization, corporation, local or state governmental agency, public or municipal corporation, or other entity which develops, owns, leases or administers lands, wetlands, or waters that fall under the jurisdiction of the Act.
6. Applicability of this Master Program to federal lands and agencies shall be consistent with WAC 173-27-060.

1.3.6 Program provisions

1. Exempt developments shall not be undertaken within the jurisdiction of the Act and this Master Program, unless a Letter of Exemption has been obtained documenting that the development is consistent with the policies and procedures of the Act, all applicable state regulations and this Master Program.
2. The request for a Letter of Exemption shall be in writing, on forms required by the Administrator, and include the information required by the Administrator.
3. Approved shoreline restoration projects that cause a landward shift in the ordinary high water mark may be relieved from the standards of this Program pursuant to RCW 90.58.580.
4. The “policies” in this Master Program provide broad guidance and direction and will be used by the City in applying the “regulations.”

1.3.7 Bainbridge Island Shoreline Master Program Administrative Procedures

As described in the adopted Ordinance 2014-04, with the exception of specific enforcement procedures, the general administrative sections of Shoreline Master Program as listed below are included in Title 2 of the Bainbridge Island Municipal Code. The use of separate local administrative and enforcement procedures is consistent with the 2003 Washington State Shoreline Master Program Guidelines, Administrative provisions [WAC 173-26-191(2)(a)(iii)(C)]:

Local governments may include administrative, enforcement, and permit review procedures in the master program or the procedures may be defined by a local government ordinance separate from the master program. In either case, these procedures shall conform to the Shoreline Management Act, specifically RCW 90.58.140, 90.58.143, 90.58.210 and 90.58.220 and to Chapter 173-27 WAC.

This allows the City to revise local administrative procedures (fees, application meetings, authority of Administrator, etc.) without another formal SMP amendment process. These chapters must still be consistent and remain consistent with the related provisions in the Shoreline Management Act and state shoreline rules (WAC’s). In the event of a conflict, the state RCW or WAC, as amended, will prevail over the local ordinance.

The following administrative sections are part of the Bainbridge Island Municipal Code, BIMC 1.26, Code Enforcement, and BIMC 2.16.165, Shoreline Master Program Administration:

1. Permit or Exemption Required- Before Undertaking Development or Activity
2. Applications
3. Statement of Exemptions from Shoreline Substantial Development Permit
4. Shoreline Substantial Development Permit
5. Shoreline Variance
6. Shoreline Conditional Use Permits
7. Shoreline Application Appeals
8. Enforcement

1.4 Restoration Planning

To achieve island-wide improvements in ecological functions and ecosystem-wide processes as required by WAC 173-26-201(2)(f) and meet the no net loss standard of WAC 173-26-201(2)(c), the City developed a Restoration Plan that guides improvements of degraded shoreline areas over time by restoring shoreline ecological functions and processes over time. The Restoration Plan is linked to the goals and policies of Section 4.1.8, Shoreline Restoration and Enhancement, and is intended to be accomplished through voluntary and incentive-based public and private programs that restore and enhance shoreline areas identified and prioritized for improvement. The Restoration Plan can be found on the City's web page: www.ci.bainbridge-isl.wa.us.

The Restoration Plan provides the following information for shoreline improvements:

1. Identification of degraded areas and opportunities for restoration.
2. Identification of development that is adversely impacting shorelines.
3. Opportunities for protection and conservation.
4. Identification of programmatic restoration strategies.
5. A summary of ongoing and proposed restoration projects.
6. A summary of completed restoration projects.

1.5 Master Goal

The City's shorelines are among the most valuable and fragile of our natural resources and their use, protection, restoration, and preservation is of public interest to all residents of the City. The Island shorelines provide for a significant part of our way of life as a place of residence, recreational enjoyment, and occupation. It is the intent of this program to manage the shorelines of Bainbridge Island consistent with the requirements of the Shoreline Management Act, the Shoreline Master Program Guidelines, and the Growth Management Act, giving preference to water-dependent and water-related uses, and to encourage all reasonable and appropriate development and other activities to occur in a manner which will promote and enhance the public

interest and protect environmental resources. An over-arching goal of this master program is to ensure that future use and development of the City's shoreline maintain a balance between competing uses, results in no net loss of shoreline ecological functions, and achieves a net ecosystem improvement over time.

2.0 Shoreline Inventory and Characterization

2.1 Summary

To characterize the Island's 53 miles of shoreline, the City initiated a series of studies to update the Shoreline Master Program with the most current science. A shoreline structure inventory and two shoreline characterization reports were completed. The primary inventory and characterization data is found in the *Nearshore Habitat Characterization and Assessment, Management Strategy Prioritization, and Monitoring Recommendations* produced by Battelle Laboratories for the City of Bainbridge Island in 2004 (Battelle 2004). The assessment uses a conceptual model to determine potential level of impact from alterations to the nearshore environment. The conceptual model identifies nine controlling factors which represent physical, biological, and chemical attributes of the nearshore marine habitats. The integrated spread-sheet model and geographical information system developed by Battelle; quantifies existing anthropogenic impacts by converting qualitative factor values to standardized scores. The model's scoring approach uses a 5-point scale to assign qualitative categories to potential impacts for the nine controlling factors identified in the nearshore conceptual model.

The model divides the shoreline into 201 reaches, which are then grouped into nine (9) management units. The controlling factor score for each represents the predicted impacts affecting nearshore processes. To allow island-wide comparison across different types of shorelines, a normalized index was calculated called the cumulative reach index. Controlling factor scores are best used to prioritize conservation and restoration efforts in the nearshore as indicators for identifying the probability for successful conservation and restoration strategies (Battelle 2004).

The model uses ecological information collected by Washington Department of Natural Resources (WDNR) for a regional shoreline inventory. The data is available through the Department of Ecology's Coastal Atlas. Additional datasets from the City's shoreline structural inventory and other sources are listed in Table 3 in the Battelle document.

An Island-wide inventory of current geomorphic features and an accompanying analysis of historic conditions were produced for the City in 2010 by Coastal Geological Services. This study maps coastal geomorphic shore types (such as "feeder bluffs") and prioritizes restoration and conservation sites. The study includes current and historic mapping of coastal processes and process-impaired areas. Report conclusions integrate a qualitative, coastal processes-based prioritization with an objective of restoring and preserving coastal processes that sustain and maintain critical habitats.

These documents can be accessed from the City's website (www.bainbridgewa.gov).

3.0 Shoreline Designation Policies and Regulations

3.1 General

The Master Program establishes seven shoreline designations based on a combination of existing shoreline features and conditions and types of existing and potential future use. When applied to geographic areas of the island, these designations form an overlay for addressing shoreline considerations to the City's land use regulations. Uses which are consistent with a particular designation are encouraged, while uses which are in conflict are discouraged or prohibited. A conditional use process is available when further review is needed to determine whether the use is compatible with the particular designation at the proposed site. Table 4.1, Shoreline Use and Modification Table, provides a summary of uses in relation to the various shoreline designations. Legally existing uses and activities which are incompatible with their shoreline designation are subject to provisions for shoreline uses and structures which do not conform to the SMP. (See Section 4.2.1, Nonconforming Uses, NonConforming Structures, and Nonconforming Lots. ~~Non-Conforming Lots, and Existing Development~~)

Shoreline Designation Map

The official Bainbridge Island Shoreline Designation Map (Appendix A) shall be in the custody of the Department of Planning and Community Development and shall be available for public inspection during normal business hours.

The purpose of the map is to depict those areas of Bainbridge Island within the jurisdiction of the Master Program and the various shoreline designations.

Designation Boundaries

Where the shoreline jurisdiction or designation is uncertain, the official shoreline designation map shall be used to determine boundary location. If the conflict cannot be resolved using the shoreline designation map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, alleys or other roadways shall be construed to follow such center lines.
2. Boundaries indicated as approximately following lot, fractional section, or other subdivision lines shall be construed as following such subdivision lines.
3. Boundaries indicated as parallel to or extensions of features identified in subsections 1 and 2 above shall be so construed.
4. When not specifically indicated on the Shoreline Designation Map, distances shall be determined by the scale of the map.
5. If there is no designation on the map, then the Shoreline Residential Conservancy designation applies.

Where existing physical or cultural features are at variance with those shown on the Shoreline Designation Map and cannot be determined with certainty by applying subsections 1 through 4

above, the Department shall determine the location or existence of such feature utilizing any appropriate criteria contained in the Master Program.

3.2 Upland Designations

3.2.1 Urban

3.2.1.1 Purpose

The purpose of Urban is to provide for high-intensity water-oriented commercial, transportation, industrial, mixed-use, multi-family residential, public access and recreational uses while protecting existing natural resources, ecological functions and ecosystem-wide processes, and restoring ecological functions in areas that have been previously degraded.

3.2.1.2 Designation Criteria

Areas to be designated Urban should not have biophysical limitations to development such as wetlands and estuaries, floodplains, steep slopes, landslide hazard areas, and/or other sensitive areas; and must meet one or more of the following criteria:

1. Shorelines used or designated for high intensity commercial, industrial, recreational use, or for multifamily residential development.
2. Areas where adjacent land use is urban and urban services are available or areas designated for higher intensity use under the comprehensive plan.
3. Shorelines used for water-oriented and port activities.

3.2.1.3 Management Policies

1. Priority should be given to the following uses in order of preference: water-dependent, water-related, and water-enjoyment uses. Uses which derive minimal benefit from a water location should be discouraged or prohibited. Nonwater-oriented uses should be allowed only if the use is otherwise compatible with the purpose of the Urban designation and the setting, does not displace water-dependent uses, and results in no net loss of ecological functions and ecosystem-wide processes.
2. New development applications should demonstrate they will not result in a net loss of shoreline ecological functions and ecosystem-wide processes.
3. Environmental remediation and restoration priorities should be established for the shoreline that comply with relevant state and federal law.
4. Because urban use tends to preclude other shoreline uses, emphasis should be given to directing new development into already developed areas consistent with the Master Program.
5. Full utilization of existing urban areas should be achieved before additional areas are designated Urban.

6. Visual and physical public access should be required and implemented where feasible. Industrial and commercial facilities should be designed to permit pedestrian waterfront activities. Planning for the acquisition of land for permanent public access to the water in the Urban designation should be encouraged and implemented, where feasible.
7. To protect shoreline character and promote compatible development within the Urban designation, aesthetic considerations should be actively promoted by mechanisms such as sign control regulations, appropriate development siting, screening and architectural standards, flexible lot design process, and through the maintenance of Shoreline Buffer and Site Specific Vegetation Management Areas.
8. In order to make maximum use of the available shoreline resource and to accommodate future water-dependent uses, redevelopment and restoration for a net ecosystem improvement of degraded urban shoreline areas should be encouraged.
9. Developments within the Urban designation should be compatible with uses and activities in adjacent designations, including Aquatic and Priority Aquatic.

3.2.2 Shoreline Residential

3.2.2.1 Purpose

The purpose of Shoreline Residential is to provide for residential development and appurtenant structures, appropriate public access and recreational use, which are consistent with the Shoreline Management Act, while protecting existing natural resources, ecological functions and ecosystem-wide process, and restoring ecological functions in previously degraded areas.

3.2.2.2 Designation Criteria

Areas to be designated Shoreline Residential should be presently zoned, platted or developed for residential use, and should meet one or more of the following criteria:

1. Areas having the physical ability to support low to medium density residential uses and associated recreational and public service facilities; and/or
2. Areas which can provide, and have the capabilities to support, the necessary public services, utilities, and access to accommodate low to medium density residential development. Sewage disposal and water supply facilities may be provided on an individual or community basis.

3.2.2.3 Management Policies

1. Development and new uses should assure no net loss of shoreline ecological function by compliance with:
 - a. Minimum frontage width, setbacks, and buffers;
 - b. Lot coverage limitations;

- c. Shoreline stabilization standards; and
 - d. Protective measures for vegetation conservation, critical areas and water quality.
- 2. New development should be permitted only in those shoreline areas that are capable of supporting the proposed use in a manner which protects or enhances the shoreline environment, and reflects the character of the surrounding area such as providing open space and maintaining shoreline vegetation buffers.
- 3. Public access to shorelines should be required for multi-family residences, apartments, and subdivisions. Common access for single-family residential short subdivisions should be encouraged and should be required where feasible.
- 4. Recreational developments should provide shoreline areas for community or public open space and public access to shorelines.
- 5. Access, utilities and public services should be available and adequate to serve existing needs and planned future development.
- 6. Developments within the Shoreline Residential designation should be compatible with uses and activities in adjacent designations, including Aquatic and Priority Aquatic.
- 7. Restoration of shoreline ecological functions and ecosystem-wide processes should be encouraged through non regulatory programs.

3.2.3 Shoreline Residential Conservancy

3.2.3.1 Purpose

The purpose of Shoreline Residential Conservancy is to accommodate compatible residential uses while protecting, conserving, and restoring shoreline ecological functions and processes of open space, floodplains or other-flood prone areas, and other sensitive lands. It is the further purpose to conserve and manage valuable historic and cultural resources where they exist. Due to the more sensitive characteristics of these areas, a higher level of development standards is warranted.

3.2.3.2 Designation Criteria

Areas to be designated Shoreline Residential Conservancy should include the following criteria:

- 1. Areas that are appropriate and planned for water-related or water-enjoyment uses that are compatible with maintaining or restoring ecological functions and processes; or
- 2. Areas that are not generally suitable for commercial/industrial water-dependent uses or more intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics; and one or more of the following criteria:
 - a. Areas subject to severe biophysical limitations such as:

- i. Sediment sources for littoral cell (Feeder Bluffs).
- ii. Flood-prone areas.
- iii. Geo-hydraulic shoreforms (e.g., accretion beaches, barrier beaches, and sand spits).
- iv. Wetlands and estuaries
- v. Areas important to the maintenance of surface water level groundwater flow, and water quality.
- vi. Biodiversity maintenance.
- b. Areas that retain important ecological functions and processes, even though partially developed.
- c. Areas with valuable historic or cultural features.

3.2.3.3 Management Policies

1. New residential and other development that preserves the natural character of the area, maintains shoreline vegetation buffers and/or promotes preservation of open space, floodplains or sensitive lands, either directly or over the long-term, should be the principal uses. Development that enhances or results in restoration of ecological functions and ecosystem-wide processes should be encouraged if the use is otherwise compatible with the purpose of the designation, the setting, and with adjacent uses and activities, including aquatic designations.
2. Standards should be established for protecting the sensitive shoreline characteristics in this designation to assure no net loss of shoreline ecological functions and ecosystem-wide process, including measures that provide the following:
 - a. Minimum frontage width;
 - b. Setbacks;
 - c. Shoreline buffers;
 - d. Lot coverage limitations;
 - e. Shoreline modification standards; and
 - f. Protective measures for vegetation conservation, critical areas and water quality.
3. Water-oriented uses should be given priority over nonwater-oriented uses. For shoreline areas adjacent to navigable waters, water-dependent uses should be given highest priority.
4. Public access, common access and public recreation objectives should be implemented as required whenever feasible and significant ecological impacts can be mitigated.

5. High intensity development should be prohibited and commercial uses should be limited to those that are water-oriented, consistent with zoning regulations.
6. Recreational developments should provide shoreline areas for community or public open space and public access to shorelines.

3.2.4 Island Conservancy

3.2.4.1 Purpose

The purpose of Island Conservancy is to accommodate a variety of private or public recreational uses that might have a higher level of impact than would be allowed in the Natural designation. Uses should incorporate elements compatible with protecting, conserving and restoring ecological functions and ecosystem-wide processes of open space, floodplains or other flood prone areas, and other sensitive lands, and manage valuable historic and cultural resources where they exist.

3.2.4.2 Designation Criteria

Areas to be designated Island Conservancy should include the following criteria:

1. Areas that are in public ownership such as open space or parks or in private ownership which are voluntarily designated and one of the following:
 - a. Areas that are appropriate and planned for recreational or cultural development that is compatible with maintaining or restoring ecological functions and processes; or
 - b. Areas that are suitable for water-oriented recreational or cultural uses, but not generally suitable for intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics.
 - c. Areas of high scenic or recreational value such as shoreline parks including urban parks, active use parks, passive use parks, and those privately held recreation areas that voluntarily agree to the designation.
2. Areas with extensive or unique historic or cultural resources.
3. Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources.

3.2.4.2 Management Policies

1. New recreational uses that preserve the natural character of the area or promote preservation of open space, floodplain or sensitive lands either directly or over the long-term should be the principal uses. Uses that enhance or result in restoration of ecological functions and ecosystem-wide processes should be strongly encouraged if the use is otherwise compatible with the purpose of the designation, the setting, and with adjacent uses and activities, including aquatic environments.

2. When required by this Program or other land use covenants, public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated.
3. Uses in the “Island Conservancy” should be limited to those which sustain the shoreline area’s physical and biological resources and uses of a nonpermanent nature, except those preferred uses in 3.2.4.2(4) below, that do not substantially degrade ecological functions or natural character of the shoreline area.
4. Water- recreation facilities that do not deplete the resource over time, such as boating facilities, recreational fishing, wildlife viewing trails, and swimming beaches, are preferred uses, provided shoreline resources are conserved over time and significant adverse cumulative impacts to the shoreline are mitigated.
5. Commercial and industrial uses are not permitted except that low intensity, water-oriented commercial uses may be permitted in limited instances where sites possess shoreline conditions and available services to support the development.
6. Construction of new structural shoreline stabilization and flood control works should only be allowed where there is a documented need to protect an existing primary structure or park use (Section 6.2, Shoreline Stabilization) and mitigation is applied, consistent with WAC 173-26-231, Shoreline Modifications. New development should be designed and located to preclude the need for such work.
7. When allowed, new shoreline stabilization, flood control measures, vegetation removal, and other shoreline modifications should be designed and managed consistent with these guidelines to ensure that the natural shoreline functions and ecosystem-wide processes are protected. Such shoreline modification should be consistent with planning provisions for the restoration of shoreline ecological functions and processes.

3.2.5 Natural

3.2.5.1 Purpose

The purpose of the Natural designation is to protect those shoreline areas where the majority of natural ecological functions and/or shoreline ecosystem-wide processes are retained, often evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, they include ecologically intact shorelines that are free of structural shoreline modifications, structures, and intensive human uses or have potential for restoration.

3.2.5.2 Designation Criteria

Areas to be designated Natural shall meet the following criteria:

1. Areas that perform irreplaceable shoreline ecological functions or ecosystem-wide process that would be damaged by human activity, including areas that contain largely undisturbed or restored shoreline features or unique natural features, such as wetlands,

estuaries, unstable bluffs, coastal dunes, sand spits, and ecologically intact shoreline habitats, and one or more of the following:

- a. Wildlife Habitats.
 - i. A shoreline area that provides food, water, or cover and protection for any rare, endangered, or diminishing species, or for significant populations of flora or fauna during critical stages of their life cycle.
 - ii. A seasonal area for concentration of native animals, fish, or fowl such as a migration route, breeding site, rearing ground, or spawning site.
- b. Areas of Scientific and Educational Value.
 - i. Areas considered to best represent basic ecosystems and geologic types that are of particular scientific and educational interest.
 - ii. Areas which best represent undisturbed natural areas.
 - iii. Areas with established histories of scientific research.
- c. Areas of Scenic and Recreational Value
 - i. Those areas having an outstanding or unique scenic feature in their natural state.
 - ii. Areas having a high value for wilderness experience.
 - iii. Areas which in their natural state have a high value for low intensity recreational use.
- d. Areas with Restoration Potential.
 - i. Areas which have been degraded, but which have a high potential of being successfully restored to a natural or near natural condition, or are capable of natural regeneration if left undisturbed.

3.2.5.3 Management Policies

1. Any use that would substantially degrade the ecological functions and ecosystem-wide processes or natural character of the shoreline area should not be allowed. The following new uses should not be allowed in the Natural designation:
 - a. Residential uses.
 - b. Agriculture uses.
 - c. Commercial uses.
 - d. Industrial uses.
 - e. Nonwater-oriented recreation.
 - f. Roads, utility corridors, and parking areas that can be located outside of Natural designated shorelines.

2. Limited access should be permitted for scientific, cultural, educational, and passive recreational purposes, provided that no significant, adverse impact on the area will result.
3. Physical alterations, including new development or “significant removal of vegetation”, should only be considered when: a) they serve to protect a significant, unique, or highly valued feature which might otherwise be degraded or destroyed; and b) when alterations would not result in a net loss of shoreline ecological functions and ecosystem-wide processes; and c) alterations would not further degrade other shoreline values; and d) vegetation removal would not reduce the capability of vegetation to perform normal ecological functions and processes.
4. Uses and activities within the Natural designation should be compatible with uses and activities in adjacent, including aquatic designations.
5. A single active use area should be allowed with appropriate compensatory mitigation to accommodate cultural events and passive recreational uses near the log pond at Blakely Harbor Park.

3.3 Aquatic Designations

3.3.1 Aquatic

3.3.1.1 Purpose

The purpose of the Aquatic designation is to protect, restore and manage the sensitive and unique characteristics and resources of the waters of the Puget Sound, tidelands, and submerged intertidal areas located waterward of the ordinary high water mark. The Aquatic designation may allow either multiple water-dependent uses or specific dominant water-dependent uses. It is intended to promote sustainable use of the natural features and resources of Aquatic areas.

3.3.1.2 Designation Criteria

Aquatic areas include:

1. All marine areas waterward of the OHWM which have not been designated Priority Aquatic.
2. All wetlands associated to the above which have not been designated priority aquatic.

3.3.1.3 Management Policies

1. Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be allowed except where necessary to achieve the restoration objectives, and then only when the impacts are mitigated to assure no net loss of ecological functions and ecosystem-wide processes. Compatibility between upland and aquatic uses should be confirmed.

2. New over-water structures are allowed only for water-dependent uses, public access or ecological restoration and such structures must be limited to the minimum size necessary to support the structure's intended use while protecting and conserving aquatic resources.
3. Diverse public access opportunities should be encouraged and developed and should be compatible with the existing shoreline and aquatic uses.
4. Aquaculture practices, should be limited to those activities that can demonstrate that significant impacts to ecological functions, ecosystem-wide processes, and adjacent land uses will not occur. Aquaculture should be encouraged in those tidelands, waters and beds most suitable for such use.
5. Multiple use of over-water facilities or tidelands is preferred over a single industry use. In appropriate areas, fishing and water recreation should be protected from competing uses.
6. All developments and uses on navigable waters, tidelands or bedlands should be located to avoid and designed to minimize interference with navigation.
7. Development and uses on navigable waters, tidelands or bedlands should be located to avoid and designed to minimize impacts to public views.
8. Development and uses on navigable waters, tidelands or bedlands should be designed and located for the safe, unobstructed passage of fish and wildlife, including species whose life cycles are dependent on migration that would be impacted by in-water development.
9. Uses that accommodate deep draft vessels and/or require placement of fill, if allowed, should not occur in areas requiring extensive initial or maintenance dredging or if significant adverse environmental impacts cannot be mitigated.
10. Development of underwater pipelines and cables on tidelands should be discouraged except where adverse environmental impacts can be shown to be less than the impact of upland alternatives. When permitted, such facilities should include adequate provisions to ensure against substantial or irrevocable damage to the environment and no net loss of ecological functions and ecosystem-wide processes.
11. Abandoned and/or neglected structures which cause adverse visual impacts or are a hazard to public health, safety, and welfare should be removed or restored to a useable condition consistent with the provisions of this Program.
12. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.

3.3.2 Priority Aquatic

3.3.2.1 Purpose

The purpose of the Priority Aquatic designation is to protect, preserve, restore and manage aquatic areas of sensitive and unique ecological value that include those portions of the

marine waters of the City that exist in a relatively natural state, free of human influence, or which contain resources, biological diversity, or other features that are particularly sensitive to human activity, or which contain unique, historical, archeological, cultural, or educational features that merit special protection.

3.3.2.2 Designation Criteria

A number of separate criteria are required to define the diverse character of Priority Aquatic types. Tidal lagoons and sensitive portions of tidal inlets will require protection in terms of water salinity and quality, sediment quality and quantity, native vegetation on adjacent shorelines, and remaining areas of native salt-tolerant vegetation. Other types, such as aquatic vegetation, have similar requirements. The Priority Aquatic designation requires additional restrictions than the Aquatic designation on the intensity and type of permitted uses to maintain the integrity of the shoreline environment. Two subcategories of Priority Aquatic will be established in order to recognize the level of development adjacent to the Priority Aquatic and provide an appropriate level protection for the critical habitat. Priority Aquatic shall be designated as follows:

1. Priority Aquatic Category A is more protective and intended to be the default classification.
 - a. Those areas previously designated Aquatic Conservancy are designated Priority Aquatic Category A.
2. Priority Aquatic areas located adjacent to upland areas with a high level of existing development are classified as Priority Aquatic B.

The City shall map the limits of the designations with assistance from state resource agencies and other cooperating agencies. Any aquatic area in which actions have been taken under an approved permit that create, restore, or enhance characteristics of the aquatic area that meet any of these criteria shall be designated Priority Aquatic through an amendment to this program as specified in BIMC Section 2.16.200. Where there is a conflict between the map and criteria, the criteria will prevail provided a report is prepared within three years by a qualified professional verifying that the map is in error. The report will be the responsibility of the party requesting the map change. The City may require a third party review at the applicant's expense. If areas are determined to be appropriate for designation, an amendment to this Program is required to designate Priority Aquatic and shall be processed as specified in Shoreline Master Program Administration, BIMC Section 2.16.200.

3.3.2.3 Type 1: Embayment: Barrier Estuary, Barrier Lagoons, or Closed Lagoon and Marshes

The upland boundary of Type 1 Priority Aquatic shall be the OHWM. There are two barrier lagoons currently identified on the Island; "Point Monroe Lagoon" and "Battle Point Lagoon"; two closed lagoons and marshes "Wing Point Lagoon" and "Tolo Lagoon"; and one barrier estuary "Fletcher Bay".

3.3.2.4 Type2: Salt marshes and mud flats in Open Coastal Inlets

Embayments and related intertidal areas subject to the daily influence of tides where they support salt-tolerant vegetation and/or exposed mudflats. Open coastal inlets areas should be designated Priority Aquatic if they meet either Criterion I or II below. Only those areas designated will be subject to the Priority Aquatic management policies and regulations.

This type of Priority Aquatic designation shall extend from the OHWM to six (6) feet below mean lower low water (MLLW). If the inlet is less than six hundred (600) feet wide, or less than (6) feet deep at the MLLW, the resource should be considered to be a single system encompassing both sides and the channel. In these cases, boundaries should be drawn from the OHWM to a line perpendicular to the average direction of the tidal flow where the criteria are no longer met. Parts of tidal inlets that do not fit either criterion, and do not fit other types of Priority Aquatic designation, shall be designated Aquatic.

- Criterion I: The area between the OHWM and MLLW that provides a habitat for at least one quarter (1/4) acre of salt-tolerant vegetation. Vegetated patches may be smaller than one quarter (1/4) acre, but the total vegetated area must be at least one quarter (1/4) acre.
- Criterion II: At least one quarter (1/4) acre of exposed flats is exhibited between OHWM and MLLW whose sediments are at least thirty (30) percent muds.

3.3.2.5 Type 3: Marine Vegetation

Areas waterward of the MLLW that support a sustainable community of kelp, or eelgrass and/or other submerged aquatic vegetation in sufficient quantities to provide special value as habitat for marine life.

Consideration for Priority Aquatic designation under Type 3 may be initiated by any interested person, group, or the City. A petition for nomination shall be submitted by an interested person or group. The following information shall be used by the City to determine when an area meets the criteria for Priority Aquatic under Type 3:

1. Delineation of proposed area, including aerial extent and bathymetric contours.
2. Inventory of submerged aquatic vegetation. Use percent coverage for macro algae and shoot density for eelgrass.
3. Further information, as determined by the Administrator, may be required in addition to the above including but not limited to:
 - a. Relationship of proposed area to nearby ecosystems.
 - b. List of species utilizing the proposed area.
 - c. Abundance and diversity of species in the proposed area.

The City shall keep a record and review data annually to determine whether sites are appropriate for nomination under Type 3. If areas are determined to be appropriate for

designation, an amendment to this program is required to designate Priority Aquatic and shall be processed as an amendment as specified in the Shoreline Master Program Administration, BIMC Section 2.16.200.

3.3.2.6 Type 4 Other areas

Areas, as designated through the Shoreline Master Program amendment process [BIMC Section 2.16.200], whose existing natural state is relatively free of human influence, or in which resources, biological diversity, or other features are particularly sensitive to human activity, or in which unique ecology, historical, archeological, cultural, or educational features merit special protection. Designation under this type shall be based on a report documenting the presence, function, and distribution of the resources in the area to be designated.

3.3.2.7 Priority Aquatic Category A Management Policies

1. The City should develop a program that identifies critical saltwater habitat appropriate for greater protection under the provisions of the Priority Aquatic designation. The program should include a process to review citizen petitions for Priority Aquatic designation.
2. Uses and activities which would potentially degrade or significantly alter the natural or visual character or ecological functions and ecosystem-wide processes of the shoreline should be severely restricted or prohibited and only allowed if adverse impacts can be mitigated to ensure no net loss of ecological functions and processes.
3. Public use and access should be permitted for scientific, cultural, educational, and recreational purposes if such use is compatible with the purposes of this designation and no significant adverse impact to the biological and visual resources of the areas will result. Motorized vessels should not be allowed.
4. In conjunction with the Island-wide shoreline restoration plan, physical alterations should only be considered when they serve to protect or enhance significant, unique, or highly valued features which might otherwise be degraded or destroyed.
5. Uses and activities adjacent to shorelines designated Priority Aquatic should be compatible with and not compromise the integrity of the Priority Aquatic designation.
6. Protection of shoreline vegetation should be established in all adjacent upland designations to protect the ecological functions, ecosystem-wide processes and characteristics of the Priority Aquatic designation. (See Section 4.1.5, Critical Areas.)
7. A management study of each area should be conducted with appropriate agencies and residents to determine possible refinements to the adopted types, changes in the boundaries of the designated areas, and/or inclusion of additional management strategies.
8. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.

3.3.2.8 Priority Aquatic Category B Management Policies

1. Implement policy number 1 in Priority Aquatic A management policies (3.3.2.7).
2. Uses and activities which would potentially degrade or significantly alter the natural or visual character or ecological functions and ecosystem-wide processes of the shoreline should be limited and only allowed when adverse impacts can be mitigated to ensure no net loss of ecological functions.
3. Public use and access should be permitted for:
 - a. Scientific, cultural, educational purposes;
 - b. Recreational shellfish harvesting of a de minimis nature;
 - c. When vessels are operated to limit wake and noise impacts; and
 - d. Uses compatible with the purpose of this designation, provided that no significant, adverse impact to the biological and visual resources of on the area will result.
4. In conjunction with the part of an Island-wide shoreline restoration plan, physical alterations should only be considered when they serve to protect or enhance significant, unique, or highly valued features which might otherwise be degraded or destroyed.
5. Protection and enhancement of shoreline buffers should be established in all adjacent upland designation to protect the ecological functions, ecosystem-wide processes and characteristics of the Priority Aquatic designation areas. (See 4.1.5 Critical Areas)
6. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.

3.4 Island Conservancy, Shoreline Residential and Shoreline Residential Conservancy Designation Strategy

In general, shoreline designations criteria are based on the existing use, characteristics of the shoreline environment, and modified by the expected land use. To ensure consistent application of shoreline residential designation criteria a framework was developed to meet natural resource management strategies recommended by the Environmental Technical Advisory Committee. The committee recommended using a broad stroke approach to manage natural resources in an attempt to avoid a piecemeal development pattern. The following rules apply:

1. For properties zoned single family residential, the default shoreline designation is Shoreline Residential.
2. Properties within the Winslow Master Plan area will be designated Shoreline Residential to accommodate the comprehensive plan policy of focusing new residential development into the plan's service area.
3. If less than ten parcels or 1,000 linear feet exist between Shoreline Residential Conservancy designations, then the properties between the two designations will also

be designated Shoreline Residential Conservancy to avoid fragmented management of ecological functions and ecosystem-wide processes.

4. If a property has a conservation easement and is adjacent to either a Shoreline Residential Conservancy or Island Conservancy designation, then the property is designated Shoreline Residential Conservancy.
5. All publicly owned open space or park properties shall be designed Island Conservancy or Natural.
6. All publicly owned saltwater road ends shall be designated Island Conservancy.

4.0 General (Island-wide) Policies and Regulations

Introduction

The following general policies and regulations apply to all designations. These provisions are to be used in conjunction with the more specific shoreline use (referred to as “uses”) and shoreline modification activity (referred to as “activities”) policies and regulations found in Sections 4.0 and 5.0 respectively.

4.0.1 Regulations - General

1. All new shoreline uses and shoreline modification activities, including those that do not require a Shoreline Substantial Development Permit, must conform to all applicable goals, policies, shoreline designations (including the shoreline designation map), and regulations and use tables provided in this Master Program.
2. Shoreline modification activities must be in support of an allowable shoreline use which conforms to the provisions of the Master Program. Except as otherwise noted, all shoreline modification activities not associated with a legally existing or approved shoreline use are prohibited.
3. Shoreline uses, modification activities, and conditions listed as “prohibited” in Table 4-1 shall not be eligible for consideration as a Shoreline Variance or Shoreline Conditional Use Permit.
4. Uses, modification activities, and conditions that are not “prohibited” and not listed in Table 4-1 shall be reviewed through the Shoreline Conditional Use process.
5. The policies listed in the Master Program shall provide broad guidance and direction and shall be used by the Director in interpreting the “regulations.”
6. BIMC Title 18 Zoning or its successor also apply to shoreline parcels.
7. Where provisions of this Master Program or other provision in BIMC conflict, liberal construction pursuant to RCW 90.58.900 shall apply to give full effect to the objectives and purposes of the Act. ~~the more restrictive provisions shall apply unless specifically stated otherwise.~~

~~Where provisions of this Master Program or other provisions in BIMC conflict, the more restrictive provisions shall apply unless specifically stated otherwise.~~ the conflict shall be resolved by the Director of Planning and Community Development by applying the provision that provides the most protection of shoreline ecological functions consistent with the purposes and intent of the Shoreline Management Act. If the Director’s decision is made in response to a code interpretation request filed under BIMC 2.16.020.D, the decision shall be appealable in the same manner as other code interpretations. If the Director’s decision is made in the processing of a development permit, the Director’s decision shall be appealable as part of the permit decision.

8. The use table (Table 4-1), shoreline setback table (Table 4-2), and the shoreline buffer table (Table 4-3) provide regulatory use and dimensional provisions for each shoreline designation.
9. An increase in the dimensional height standard (Table 4-2) for essential public facilities shall be reviewed through a Shoreline Conditional Use. Submittal requirements are in Section 4.1.2.9(2).
10. Submittal requirements for all shoreline development permits or shoreline exemptions are in BIMC Title 2 and the Administrative Manual.

EXPLANATION OF TABLE ABBREVIATIONS

- The abbreviations used in the Permitted Use Table have the following meanings:
 - “P” in a cell indicates that the use is permitted by right in that designation. Permitted uses are subject to all other applicable regulations of this Program, including the use-specific standards.
 - “C” in a cell indicates that, in the respective designation, the use is a conditional use that is allowed only if reviewed and approved in accordance with the procedures set forth in BIMC Title 2. Unless otherwise stated in this Program or in a conditional use approval, conditional uses are subject to all other applicable regulations of this Code, including the use-specific standards.
 - An “A” in a cell indicated that the use is permitted as an accessory use to a permitted use or to an approved conditional use in the same designation. In the case of approved conditional uses, accessory uses listed in the table are permitted unless the terms of the conditional use permit prohibit that accessory use.
 - A “CA” in a cell indicated that the use is permitted as an accessory use to a permitted use or to an approved conditional use, but that a conditional use permit is always required.
 - An “X” indicated that the use is prohibited in the respective designation. The use may be allowed outside the shoreline jurisdiction, see Title 18 Zoning.
 - The column headed “Use Specific Standards” identifies a subsection within BIMC 16.12 that imposes additional standards with which the use must comply. The use specific standard may limit the “P” or “C” designation to certain areas.

Table 4-1. Shoreline Use and Modification Table

Table 4-1 Shoreline Use and Modification Table									
“P” = Permitted Use “C” = Conditional Use			“X” = Prohibited Use “#” = Same as Upland Property			“A” = Accessory Use “CA” – Conditional Accessory Use			
SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Natural Resource Management									
Agriculture	X	X	X	X	X	X	X	X	
Aquaculture	C[1]	X	C	C	C	C	C[1]	C[1]	
Aquaculture, Shellfish Garden	X	P	P	P	P	P	P[1]	P[1]	
Flood Hazard Management [7]	X	C	C	C	C	#	X	X	
Stormwater Management [7]	X	P	P	P	P	#	X	X	
Forest Practices	X	X	C	C	C	X	X	X	
Shoreline Restoration	P	P	P	P	P	P	P	P	
Commercial Development									
Boating Facilities	X	C[8]	X	C[9]	P	#	X	X	
Nonwater-Oriented	X	X[8]	X[22]	X	C[17]	X	X	X	
Water-Dependent	X	X	X[22]	C	P	#	X	X	
Water-Related or Enjoyment	X	X	X[22]	C	P	X	X	X	
Educational and Community Facilities									
Educational Facility	X	C	C	C	P	X	X	X	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

"C" = Conditional Use

"X" = Prohibited Use

"#" = Same as Upland Property

"A" = Accessory Use

"CA" – Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Governmental Facility	X	X	C	C	P	X	X	X	
Religious Facility	X	C	C	C	P	X	X	X	
Cultural and Entertainment Facilities									
Club	X	C	C	C	P	X	X	X	
Commercial Amusement	X	X	C	C	P	X	X	X	
Cultural Facility	X	C	C	C	P	X	X	X	
Entertainment Facility	X	X	C	C	P	X	X	X	
Industrial									
Mining	X	X	X	X	X	X	X	X	
Nonwater-Oriented	X	X	X	X	X	X	X	X	
Solid Waste Disposal	X	X	X	X	X	X	X	X	
Water-Dependent	X	X	X	X	P	#	X	X	
Water-Related	X	X	X	X	C	#	X	X	
Water Enjoyment	X	X	X	X	X	X	X	X	
Overwater Structures									
Boatlift	X	X	P	P	P	#	X	#	
Marine Railway	X	X	P	P	P	#	X	X	
Marine Railway, Retractable [12]	X	P	P	P	P	#	X	#	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

"C" = Conditional Use

"X" = Prohibited Use

"#" = Same as Upland Property

"A" = Accessory Use

"CA" = Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Mooring Buoys	X	P	P	P	P	#	X	X	
Piers and Docks	X	C[16]	P	P	P	#	X	P	
Recreational Floats	X	X	X	P	P	#	X	X	
Recreational Development									
Golf Courses	X	C	X	C	C	X	X	X	
Nonwater-Oriented	X	X	X	C	C	X	X	X	
Recreation, Active	X	C[16]	C[19]	C	P	#	X	X	
Recreation, Passive	P	P	P	P	P	#	P[14]	P[14]	
Event: Recreation, Culture, Education									
Water-Oriented	X	P	P	P	P	#	X	X	
Residential									
Accessory Dwelling Unit	X	C	C[19]	C	C	X	X	X	
Subdivision	C	P	P	P	P	#	#	#	
Multi-family [22]	X	X	X	P	P	X	X	X	
Single-family	X	C	P	P	P	X	X	X	
Shoreline/Aquatic Modification [5] [7]									
Beach Nourishment (Mitigation)	C	P	P	P	P	#	#	#	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

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SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Beach Enhancement (non-restoration) [6]	C[12]	C[12]	C[12]	C[12]	C[12]	#	#	#	
Breakwaters	X	X	X	X	X	X	X	X	
Dredging	X	X	X	X	X	C	X	C	
Drift Sill	X	X	X	X	X	P	P	P	
Landfill	C	C	C	C	C	#	X	X	
Fill	X	C	X	X	C	#	X	X	
Repair of Shoreline Stabilization	X	P	P	P	P	#	#	#	
New or Replacement Shoreline Stabilization, Hard [4]									
New Bulkheads	X	X	P[19]	P	P	#	X	X	
Replacement Bulkheads	X	X	P[19]	P	P	#	#	#	
Gabions	X	X	X	X	X	X	X	X	
Weirs, Groins (rock or concrete)	X	X	X	X	X	X	X	X	
Jetties	X	X	X	X	X	X	X	X	
Levees/Dikes	X	X	X	X	X	X	X	X	
Retaining Walls and Bluff Walls	X	C	C	C	C	X	X	X	
Revetments	X	X	X[2]	X[2]	X[2]	#	X	X	
Seawalls	X	X	X	X	X	X	X	X	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

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"#" = Same as Upland Property

"A" = Accessory Use

"CA" = Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Hybrid	X	P	P	P	P	#	#	#	
New or Replacement Shoreline Stabilization Non-Structural and Soft									
Non-Structural Stabilization, Soft-treatment	X	P	P	P	P	#	#	#	
Transportation									
Existing Road repair	X	P	P	P	P	X	X	X	
New Arterials	X	X	X	X	X	X	X	X	
New Highways	X	X	X	X	X	X	X	X	
New Secondary Arterials	X	X	X	X	X	X	X	X	
Float Plane Facilities and Services	X	X	X	X	C	#	X	X	
Heliports	X	X	X	X	X	X	X	X	
Additional Bridge to Bainbridge Island	X	X	X	X	X	X	X	X	
Parking (primary)	X	X	X	X	X	X	X	X	
Public Access Facilities									
Public Ferry Terminal Facilities and Services	X	X	X	X	P	#	X	X	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

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"#" = Same as Upland Property

"A" = Accessory Use

"CA" = Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Over-water Public Ferry Terminal Facilities and Services	X	X	X	X	C[10]	#	X	X	
Railroads	X	X	X	X	X	X	X	X	
Trails	P	P	P	P	P	#	#	#	
Utilities & Telecommunication									
Utilities (primary)	X	X	C[11]	C[11]	C[11]	#	X	X	
Signs									
Primary	X	X	X	X	X	P	X	X	
Accessory Structures									
All Uses									
Potable Water Wells	X	A	A	A	A	X	X	X	
Signs	X[20]	X[20]	P	P	P	P	X[20]	X[20]	
Tram	X	A	A	A	A	#	X	X	
Underground Utilities	X	A[21]	A[21]	A[21]	A[21]	#	X	X	
Residential									
Upland appurtenant Structures	X	CA	A	A	A	#	X	X	
Commercial									

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

"C" = Conditional Use

"X" = Prohibited Use

"H" = Same as Upland Property

"A" = Accessory Use

"CA" – Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Upland appurtenant structures that support a water-dependent use [13]	X	X	X	CA	A	#	X	X	
Upland appurtenant structures that support a water related or water enjoyment use [13]	X	X	X	CA	A	X	X	X	
Upland appurtenant structures that support a non-water oriented use [13]	X	X[8]	X	X	C[17]	X	X	X	
Industrial									
Upland appurtenant structures that support a water-dependent use [13]	X	X	X	X	A	#	X	X	
Upland appurtenant structures that support a water related [13]	X	X	X	X	CA	#	X	X	
Upland appurtenant structures that support a water enjoyment use [13]	X	X	X	X	X	X	X	X	
Upland appurtenant structures that support a non-water oriented use [13]	X	X	X	X	X	X	X	X	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

"C" = Conditional Use

"X" = Prohibited Use

"#" = Same as Upland Property

"A" = Accessory Use

"CA" – Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Public Park/Recreational Development									
Public pathways to the shoreline	A	A	A	A	A	#	#	#	
Public Stairway	A	A	A	A	A	#	#	#	
Access Roads	X	A	A	A	A	X	X	X	
Upland appurtenant structures that support a water-oriented Active recreational use	X	A	CA	CA	A	#	X	X	
Upland appurtenant structures that support a water oriented passive recreational use	A	A	A	A	A	#	A[14]	A[14]	
Upland appurtenant structures that support a non-water oriented use	X	X	X	X	X	X	X	X	

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use

"C" = Conditional Use

"X" = Prohibited Use

"H" = Same as Upland Property

"A" = Accessory Use

"CA" = Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION		Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic	
							A B	

[1] Allowed if using native species and part of an approved shoreline restoration project.

[2] Revetments are prohibited unless they are constructed as part of a public facilities project.

[3] Construction of a bulkhead, revetment, or other structure for the purpose of retaining a landfill or creating dry land is prohibited, unless it is proposed in conjunction with a water-dependent or public use.

[4] Stabilization that would cause significant impacts to adjacent or down current properties is prohibited.

[5] Shoreline modification should not be located on feeder bluffs, except when the area is already developed with a single family primary structure, in which case stabilization may be allowed pursuant to the provisions in Section 6.2, Shoreline Stabilization.

[6] Beach enhancement is prohibited if it interferes with the normal public use of the navigable waters of the state.

[7] Shoreline stabilization and flood protection works are prohibited in wetlands (located in both the upland and the shoreline jurisdiction). They are also prohibited in salmon and trout spawning areas, except for fish or wildlife habitat enhancement.

[8] Public parks only. Nonwater-oriented commercial development only for concessions as accessory use allowed as an SSDP.

[9] Community and joint use docks providing moorage for six or more vessels are permitted with an SSDP but must comply with the provisions in BIMC 16.12.5.4, Boating facilities, as well as the provisions in BIMC 16.12.6.3, Overwater Structures.

[10] New overwater facilities are permitted as a conditional use only in the ferry terminal district. Normal repair and maintenance of existing over-water facilities do not require a Shoreline Conditional Use Permit, but may require an SSDP.

[11] Permitted as a conditional use if no feasible alternative exists.

[12] If upland of Priority Aquatic designation, then the use is prohibited.

[13] All structures are prohibited in Zone 1 upland of a Priority Aquatic Category A designation.

[14] Passive recreational uses and activities are allowed. Development and associated structures is allowed through a Shoreline Conditional Use Permit.

[15] As allowed by Island Conservancy designation 3.3.5.2(6)

[16] Except in Waterfront Park a dock is permitted with a SSDP.

[17] Mixed-use Commercial/Industrial only.

[18] Day use only.

[19] Prohibited or restricted in the Point Monroe District.

[20] Allowed for Public Park, Interpretive, Information, Direction or Dedication. Temporary signs are allowed in accordance with Section 4.2.5 Signs

[21] Conditional use when primary use is a conditional use.

[22] Mixed use development is allowed in areas within the Mixed Use Town Center zones, when physically separated from the shoreline by another parcel in accordance with Section 5.4 Commercial Development.

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Natural Resource Management									
Aquaculture									
Setbacks									
Water-dependent	X	0'	0'	0'	0'	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Water-related	X	25'	25'	25'	25'				
Nonwater-oriented	X	150'	115'	100'	100'				
Height Limit									
Overwater Structures	DOES NOT APPLY TO DEVELOPMENT ABOVE THE OHWM					3'	X	3'	
Accessory use on overwater structures						3'	X	3'	
Overwater Structure Predator Control						6'	X	6'	
Upland	X	30'	30'	30'	30'	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Aquaculture, Noncommercial for Recovery of Native Population									
Setbacks									
Water-dependent	X	0'	0'	0'	0'	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Water-related	X	25'	25'	25'	25'				
Nonwater-oriented	X	150'	115'	100'	100'				
Height Limit									
Overwater	DOES NOT APPLY TO DEVELOPMENT ABOVE THE OHWM					3'	X	3'	
Upland	X	30'	30'	30'	30'	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Commercial Development									
Boating Facilities									
Setbacks									
Accessory Structures	X	X	X	50'	30'				
Water-dependent	X	X	X	0'	0'				
Dry Moorage	X	X	100'	100'	100'				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height Limit									
Dry moorage	X	X	20'	20'	30'				
Buildings	X	X	20'	20'	30'				
Non-water Oriented									
Setbacks									
	X	X	X	200'[2]	200'[2]				
Height Limit									
	X	X	X	30'	30'				
Water-Dependent									
Setback									
	X	X	X	0'	0'				
Height Limit									
	X	X	X	30'	30'				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Water-Related and Enjoyment									
Setback									
	X	X	X	50'[1]	30'				
Height Limit									
	X	50'[1]	X	30'	30'				
Educational and Community Facilities									
Educational Facility									
Setbacks									
Water-dependent	X	X	0'	0'	0'				
Water-related	X	X	50'[1]	30'[1]	30'[1]				
Nonwater-oriented	X	X	115'[1]	30'[1]	30'[1]				
Height Limit									
Upland	X	X	30'	30'	30'				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Governmental Facility									
Setbacks									
Water-dependent	X	X	0'	0'	0'				
Water-related	X	X	50'[1]	30'[1]	30'[1]				
Nonwater-oriented	X	X	115'	75'	30'				
Height Limit									
Upland	30'	30'	30'	30'	30'				
Religious Facility									
OHWM Setback									
Water-dependent	X	0'	0'	0'	0'				
Water-related	X	50'[1]	50'[1]	30'[1]	30'				
Nonwater-oriented	X	150'	115'	75'	30'				
Height Limit									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Upland	X	30'	30'	30'	30'				
Cultural and Entertainment Facilities									
Club									
Setbacks									
Water-dependent	0'	0'	0'	0'	0'				
Water-related	100'	50'[1]	50'[1]	30'[1]	30'				
Nonwater-oriented	100'	150'	115'	75'	30'				
Height Limit									
Upland	30'	30'	30'	30'	30'				
Commercial Amusement									
Setbacks									
Water-dependent	X	X	0'	0'	0'				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Water-related	X	X	50'[1]	30'[1]	30'				
Nonwater-oriented	X	X	150'	75'	30'				
Height Limit									
Upland	X	X	30'	30'	30'				
Cultural Facility									
Setbacks									
Water-dependent	0'	0'	0'	0'	0'				
Water-related	100'	50'[1]	50'[1]	30'[1]	20'				
Nonwater-oriented	100'	150'	115'	75'	20'				
Height Limit									
Upland	30'	30'	30'	30'	30'				
Entertainment Facility									
Setbacks									
Water-dependent	X	0'	0'	0'	0'				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Water-related	X	100'[1]	100'[1]	50'[1]	30'				
Nonwater-oriented	X	150'	115'	75'	30'				
Height Limit									
Upland	X	30'	30'	30'	30'				
Industrial									
Water-Dependent									
Setbacks									
	X	X	X	X	0"				
Height Limit									
Upland	X	X	X	X	30'				
Water-Related									
Setbacks									
	X	X	X	X	100'				
Height Limit									
Upland	X	X	X	X	30'				
Overwater Structures									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION		Use Specific Standards	
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A		B
Marine Railway									
Setbacks									
	X	X	10'						
Height Limit									
Upland	X	X	10'						
Marine Railway, Retractable [12]									
Setbacks									
	X	10'							
Height Limit									
Upland	X	10'							
Mooring Buoys									
Setbacks									
From Overwater Structures	100'								

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Piers and Docks									
Setbacks From Property Lines									
	10'						X	10'	
Recreational Floats									
Setbacks									
From Overwater Structures	100'						X	X	
Recreational Development									
Height Limit									
Upland	X	20'	20'	20'	30'				
Nonwater-oriented									
Setbacks									
	200'	200'	200'	200'	100'				
Park, Active Recreation									
Setbacks									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Water-Dependent Primary Structure	X	[2]	[2]	[2]	[2]	[2]	[2]	[2]	
Car/RV Camp Site	X	100'	100'	100'	50'				
Golf Course	X	100'	100'	100'	100'				
Play-structure	X	100'	100'	100'	50'				
Playfields or other Intensive use areas	X	150'	150'	100'	100'				
Height									
Upland	X	20'	20'	20'	20'				
Park, Passive Recreation									
Setbacks									
Water-Dependent Primary Structure	X	[2]	[2]	[2]	[2]	[2]	[2]		
Picnic Area and Related	X	75'[1]	75'[1]	75'[1]	30'[1]				
Kayak/Hiking and Related Camp Site	X	50'[1]	50'[1]	50'[1]	30'[1]				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION		Use Specific Standards	
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A		B
Accessory Use									
Setbacks									
Access Roads	X	75'[1][3]	75'[1][3]	75'[1]	50'[1][3]				
Parking	X	100'[1]	100'[1]	100'	50'				
Events, Recreation; Education; Culture									
Setbacks									
Water-Dependent	X	0'	0'	0'	0'				
Water-related/Enjoyment	X	50'[1]	50'[1]	50'[1]	30'				
Residential									
Flex lot Subdivision									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING AND SUBDIVISION REQUIREMENTS									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height Limit									
Upland	X	30'	30'	30'	30'				
Multi-family									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING REQUIREMENTS AND BIMC Title 18									
Height Limit									
Upland	X	X	30'	30'	30'				
Single-family									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING REQUIREMENTS									
Height Limit									
Upland	X	30'	30'	30'	30'				
Shoreline/Aquatic Modification [5] [7]									
Utilities & Telecommunication									
Utilities (primary)									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Primary Structure	X	200'	200'	200'	200'				
Accessory Use	X	100'	100'	100'	100'				
Telecommunication Accessory Use	X	100'	100'	100'	100'				
Height									
Distribution Poles	X	X	30'[1][5]	30'[1][5]	30'[1][5]				
Buildings, storage Tanks, Accessory Uses	X	X	30'[1][4]	30'[1][4]	30'[1][4]				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION		Use Specific Standards	
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A		B
Accessory Structures									
Architectural Elements									
Setback									
	SUBJECT TO SETBACK REQUIREMENTS OF PRIMARY STRUCTURE								
Height									
	TOTAL HEIGHT OF ARCHITECTURAL ELEMENT AND PRIMARY STRUCTURE SHALL NOT TOTAL MORE THAN 35'.								
Residential									
Primary Appurtenant Structures and Non-habitable Structures (boat house, deck, patio, stairway)									
Setbacks									
	SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SPECIFIC USE SETBACK AND ZONING REQUIREMENTS					SAME AS SPECIFIC USE SETBACK	X	#	

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height									
Boat house, shed, well house, etc.	X	12'	12'	12'	12'	SHORELINE SPECIFIC USE SETBACK	X	X	
Commercial/Industrial									
Primary appurtenant structures that either support public access or are necessary to support a water-dependent use [13]									
Setbacks									
	SAME AS SPECIFIC USE						X	#	
Public Park									
Primary appurtenant structures that either support public access or are necessary to support a water-dependent recreational									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Setbacks									
	15'	75'	75'	75'	50'				
Event, Recreation; Culture; Education									
Setbacks									
	N/A	75'[1]	75'[1]		75'[1]				
Parking	N/A	100'[1][3]	100'[1][3]]		100'[3]				
[1] Must be located outside of site specific Zone 1 [2] Same as Use specific setback [3] ADA access roads may be allowed a lesser setback than standard 5.6.5(2)									

Table 4-3 Shoreline Buffer Standards Table					
Additional Use restrictions for BIMC Titles 17 and 18 may apply					
SHORELINE USE	UPLAND DESIGNATION				
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban
The shoreline buffer consists of two management areas Zone 1 and Zone 2. Zone 1 is located closest to the water; it is a minimum of 30 feet in all designations, except in Natural and Island Conservancy the minimum is 50' and expands to include existing native vegetation. Zone 2 is the remaining area of the shoreline buffer. See figure XXX					
Category A: Low bank lots with 65% Canopy Area in Zone 1, OR spit/barrier/backshore, marsh lagoon, or rocky shores. Category B: Low bank with less than 65% Canopy Area in Zone 1, or lots with a depth < 200' or High Bluff. <i>Geomorphic Class (i.e. low bank, High Bluff) shall be determined by Battelle 2004 Nearshore Characterization and Inventory.</i>					
Developed lots					
Category A	200'	150'	115'	75'	30'
Category B	200'	100'[1]	75'[1]	50'[1]	30 [1]
Undeveloped lots					
	200'	150'	150'	75/150'[2]	30'
1. For High bluff properties the greater distance of 50' from the top of the bluff or the standard shoreline buffer. 2. If adjacent to the Priority Aquatic designation then 150' is required.					

4.1 Environmental Quality and Conservation

4.1.1 Shorelines of State-wide Significance

4.1.1.1 Purpose

The Shoreline Management Act of 1971 designated certain shoreline areas as shoreline of state-wide significance (SSWS). Because these shorelines are resources from which all people in the state derive benefit, preference is given to uses which favor public and long-range goals.

4.1.1.2 Applicability

Within the City's jurisdiction all those areas lying waterward from the line of extreme low tide are shorelines of state-wide significance. [RCW 90.58.030(2)(f)(iii) or its successor]. Development, use, or activities located within shorelines of statewide significance shall follow all the provisions of this program. Proposed development, use, and activity within shorelines of statewide significance shall be reviewed in accordance with preferred policies listed in 4.1.1.3. The Administrator may reduce, alter, or deny proposed development, use, or activity to satisfy the preferred policy.

4.1.1.3 Policies (In order of preference)

1. Recognize and protect the state-wide interest over local interest.
 - a. Solicit comments and opinions from groups and individuals representing state-wide interests by circulating the Master Program, and any amendments thereof affecting Shorelines of State-wide Significance, to state agencies, adjacent jurisdictions, citizen's advisory committees, local officials, and state-wide interest groups.
 - b. Recognize and take into account state agencies' policies, programs, and recommendations in developing and administering use regulations, and in approving shoreline permits.
 - c. Solicit comments, opinions, and advice from individuals with expertise in ecology, geology, limnology, aquaculture, and other scientific fields pertinent to shoreline management.
2. Preserve the natural character of the shoreline.
 - a. Designate and administer shoreline designation and use regulations to minimize damage to the ecology and environment of the shoreline as a result of man-made intrusions on the shorelines.
3. Result in long-term over short-term benefit.

- a. Evaluate the short-term economic gain or convenience of developments relative to the long-term and potentially costly impairments to the natural shoreline.
 - b. In general, preserve resources and values of shoreline of state-wide significance for future generations and restrict or prohibit development that would irreversibly damage shoreline resources.
 - c. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities, or general enhancement of shoreline areas.
4. Protect the resources and ecology of the shoreline.
- a. Minimize development activity that will interfere with the natural functioning of the shoreline ecosystem including, but not limited to, stability, drainage, aesthetic values, and water quality.
 - b. All shoreline development should be located, designed, constructed, and managed to avoid disturbance of, and to minimize adverse impacts on, fish and wildlife resources including spawning, nesting, rearing, and habitat areas and migratory routes.
 - c. Restrict or prohibit public access onto areas which cannot be maintained in a natural condition under human uses.
 - d. Shoreline materials including, but not limited to, bank substrate, soils, beach sands, and gravel bars should be left undisturbed by shoreline development.
5. Increase public access to publicly owned areas of the shorelines.
- a. Give priority to developing paths and trails to shoreline areas, linear access along the shorelines, and to upland parking.
 - b. Locate development landward of the ordinary high water mark.
 - c. Limit public access when environmental or habitat values warrant such limitations.
6. Increase recreational opportunities for the public on the shoreline.
- a. Plan for and encourage development of facilities for recreational use of the shorelines.

4.1.2 Environmental Impacts

4.1.2.1 Applicability

All shoreline development and activity shall be located, designed, constructed, and managed in a manner that avoids, minimizes and/or mitigates adverse impacts to the shoreline environment. The preferred mitigation sequence (avoid, minimize, rectify, reduce, or compensate for the environmental impact) shall follow that listed in WAC 173-26-201(2)(e). See definition of “Mitigation” listed in this Master Program, in Section 8.0, Definitions.

In approving shoreline development, the City shall ensure that shoreline development, use, and/or activities will result in no net loss of ecological functions and ecosystem-wide processes necessary to sustain shoreline resources, including loss that may result from the cumulative impacts of similar developments over time consistent with constitutional and statutory limitations on the regulation of private property. To this end, the City may require modifications to the site plan and/or adjustments to proposed project dimensions, intensity of use, and screening, as deemed appropriate. If impacts cannot be avoided through design modifications, the City shall require compensatory mitigation commensurate with the project's adverse impacts.

4.1.2.2 Goal

Minimize impacts of shoreline development, uses and activities on the environment during all phases of development (e.g. design, construction, and management).

4.1.2.3 Policies

1. Ensure all shoreline uses, activities and developments are designed and located in a manner that prevents or mitigates adverse impacts to shoreline ecological functions and ecosystem-wide processes, including the use of the mitigation sequence (avoid, minimize, rectify, reduce, compensate); and make available flexible alternatives to accommodate preferred shoreline uses.
2. Ensure, through appropriate monitoring and enforcement measures that all required conditions are met, and improvements are installed and properly maintained.
3. Promote shoreline uses and activities within critical areas which do not cause significant adverse impacts to ecological functions and ecosystem-wide processes, such as public access on publicly owned lands.
4. In assessing the potential for new uses, activities and developments to cause adverse impacts, take into account all of the following:
 - a. Effects on ecological functions and ecosystem-wide processes, including temporal loss of functions; and
 - b. Effects that occur on-site and effects that may occur off-site; and
 - c. Direct and indirect effects and long-term effects of the project; and
 - d. Effects of the project and the incremental or cumulative effects resulting from the project added to other past, present, and reasonably foreseeable future actions; and
 - e. Compensatory mitigation actions that offset adverse impacts of the development action and/or use.
5. To provide for comprehensive management strategies for shoreline areas, integrate planning and regulatory measures, such as those within the comprehensive plan, regional watershed plans, or state and federal regulations.

4.1.2.4 Regulations-Impact Analysis and No Net Loss Standard

1. All shoreline development, use and activities, including preferred uses, and uses that are exempt from a shoreline substantial permit, shall be located, designed, constructed, and maintained in a manner that protects ecological functions and ecosystem-wide processes. All proposed shoreline development, uses and activities shall:
 - a. Utilize the required mitigation sequence of Section 4.1.2.6, Regulations – Mitigation; and
 - b. Utilize effective erosion and scour control methods during project construction and operation; and
 - c. Minimize adverse impacts to critical salt water habitat, fish and wildlife conservation areas, and/or other ecological functions and ecosystem-wide processes, such as those provided by shoreline vegetation; and
 - d. Minimize interference with beneficial natural shoreline processes, such as water circulation, sand and gravel transport movement, erosion, and accretion; and
 - e. Avoid hazards to public health and safety; and
 - f. Minimize the need for shoreline stabilization measures and flood protection in the future; and may require a geotechnical analysis to ensure that the proposed activity meets this regulation (See Section 6.2, Shoreline Stabilization); and
 - g. Result in no net loss of ecological functions and processes necessary to sustain shoreline resources, including loss that may result from the cumulative impacts of similar developments over time.
2. In reviewing and approving shoreline development, use or activity, regardless of whether a permit is required the following shall apply:
 - a. The Administrator shall condition the shoreline development, use, and/or activities such that it will:
 - i. Meet provisions in subsection 1 above; and
 - ii. Employ measures to mitigate adverse impacts on shoreline functions and, processes, if necessary; and
 - iii. Modify the site plan and/or adjust the project dimensions, intensity of use, or screening as deemed appropriate to address impacts. If impacts cannot be avoided through design modification, the Administrator shall require compensatory mitigation, pursuant to regulations in Sections 4.1.2.5, Regulations – Revegetation Standards, and 4.1.2.6, Regulations – Mitigation; and
 - b. If a proposed shoreline development, use or activity is determined by the Administrator to result in significant short-term, long-term, or cumulative

adverse environmental impacts lacking appropriate compensatory mitigation, it shall be sufficient reason for the Administrator to deny a permit.

3. To assure that development activities contribute to meeting the no net loss provisions pursuant to subsection 1 and 2 above, an applicant is required to submit a site-specific analysis of potential impacts and a mitigation plan that includes compensatory mitigation measures when determined necessary as a result of the analysis. The site-specific analysis shall be prepared in accordance with Section 4.1.2.9, Submittal Requirements – Site-Specific Impact Analysis and Mitigation Plan.
4. To mitigate anticipated impacts and meet the no net loss standards in subsection 1 and 2 above, an applicant for a single family residential development or accessory structures may choose to use the Standard Residential Mitigation Manual in Appendix D in lieu of a site-specific impact analysis and mitigation plan. If an applicant uses the Single Family Residential Mitigation Manual, compensatory mitigation requirements provided in the manual shall be included in the project submittal.

4.1.2.5 Regulations – Revegetation Standards

1. Vegetation replanting is required for all development, uses or activities within the 200-foot shoreline jurisdiction that either alters existing native vegetation or any vegetation in the required Shoreline Buffer or Vegetation Management Areas, whether a permit is required or not. This includes invasive species removal. Minimum requirements for planting plans can be found in the City’s Administrative Vegetation Management Manual. The following information shall be submitted for approval prior to vegetation disturbance as part of a project proposal or clearing permit pursuant to BIMC 15.18, Land Clearing:
 - a. Residential, Industrial and Commercial Development.
 - i. Vegetation disturbance of 200 square feet or less requires submittal of an annotated list of proposed plants and their spacing specifications and location.
 - ii. Vegetation disturbance-greater than 200 square feet requires that the planting plan shall be completed by a qualified professional or the applicant may use the single-family residential mitigation manual.
 - b. Public Park and City Maintained Areas.
 - i. Vegetation disturbance of 2,500 square feet or less requires submittal of an annotated list of proposed plants and their spacing specifications and location.
 - ii. Vegetation disturbance greater than 2,500 square feet requires that the planting plan shall be completed by a qualified professional.
2. For vegetation mitigation in the Shoreline Buffer or Site-specific Vegetation Management Areas, all new plantings shall meet the provisions in Section 4.1.3.5(5), except for the Point Monroe District which shall meet special provisions in subsection 6,
3. If the Shoreline Buffer is altered or reduced pursuant to provisions of Section 4.1.3, Vegetation Management or Section 4.2.1, Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots ~~Non-Conforming Lots, and Existing Development~~Nonconforming Structures, Uses, the following shall occur in Zone 1:

- a. Retain existing native vegetation; and
 - b. Plant the entire area of Zone 1. Obtain 65% vegetation canopy coverage within 10 years.
- 4. When vegetation mitigation is required for new upland development, uses, or activities the mitigation plan shall include new plantings that are protective of views from the primary structure of the subject property and in proportion to the identified impact. Mitigation shall be located in the following sequence, except for the Point Monroe District which shall meet special provisions in subsection 6,
 - a. Within Zone 1, plant vegetation-to obtain a minimum of 65% native vegetation canopy coverage;
 - b. In Zone 2, plant to increase canopy coverage, in a manner that promotes contiguous native vegetation or in areas nearest the shoreline;
 - c. In the Shoreline Buffer, plant in a manner that promotes a contiguous native vegetated corridor that connects to the shoreline;
 - d. Outside of the Shoreline Buffer, plant in a manner that promotes a contiguous native vegetated corridor to the shoreline;
 - e. Outside of the Shoreline Buffer; or
 - f. At an off-site location approved by the Administrator, within Zone 1, plant to meet the standard of subsection a.
- 5. When mitigation is required for shoreline stabilization projects due to site disturbance, the required planting plan shall also include the following, unless an alternative planting plan is approved by the Administrator:
 - a. Replant 75% of the shoreline area located along the upland edge of the shoreline stabilization structure to a minimum depth of ten (10) feet, unless demonstrated to be infeasible to the Administrator;
 - i. The depth may be reduced to five (5) feet to allow for landscape design variation, provided that the total square footage of the area planted equals the required 75% of the shoreline;
 - b. Planting plans shall meet provisions in Section 4.1.3.5(5), and shade bearing plants shall be provided at suitable-fish spawning sites; and
 - c. Include plantings equivalent to one tree per ever 20 linear feet of shoreline and one shrub per ever five linear feet, which may be planted with due consideration of views from the primary structure of the subject property.
- 6. Special Mitigation Provisions for Point Monroe District. When vegetation mitigation is required for new development, uses, or activities in the Point Monroe District, the mitigation plan shall include new vegetation communities appropriate for dune, sand spit, barrier beach, barrier estuary, or barrier lagoon,

including salt marsh that shall be installed within the spit-specific vegetation management area (SVMA) as defined in Section 4.1.3.5(9), thirty (30) foot setback between the OHWM and the primary structure, or where area is available on the site.

4.1.2.6 Regulations – Mitigation

1. Mitigation Sequence: Mitigation shall include the following actions in order of priority (a-e), and (f) is required for all mitigation activities:
 - a. Avoiding the impact altogether by not taking a certain action or parts of an action;
 - b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
 - c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - d. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
2. When compensatory mitigation is necessary to offset impacts, mitigation measures in the immediate vicinity of the impact shall be the preferred mitigation option. Property owners may be required to perform the balance of compensatory mitigation off-site if the property cannot support required mitigation or when off-site mitigation can be demonstrated to the satisfaction of the Administrator to be more beneficial to shoreline ecological functions and processes. For example, off-site mitigation may be the better choice if large, cohesive areas are available off-site while only small fragmented areas are available on-site for mitigation.
3. Mitigation actions shall not have a significant adverse impact on other preferred shoreline uses promoted by the policies of the Shoreline Management Act.
4. When compensatory mitigation measures are required, all of the following shall apply:
 - a. The quality and quantity of the replaced, enhanced, or substituted resources shall be the same or better than the affected resources; and
 - b. The mitigation site and associated vegetative planting shall be nurtured and maintained such that healthy native plant communities can grow and mature over time; and
 - c. Unless the Single-family Residential Mitigation Manual is being used for single-family residential development and accessory structures pursuant to Section

4.1.2.4(4), the mitigation shall be informed by pertinent scientific and technical studies, including but not limited to the Shoreline Inventory and Characterization Report, the Shoreline Restoration Plan and other background studies prepared in support of this Program; and

- d. The mitigation activity shall be monitored and maintained to ensure that it achieves its intended functions and values, pursuant to Section 4.1.2.7, Surety Regulations.
5. To encourage shoreline property owners to remove bulkheads and perform other beneficial shoreline restoration actions in advance of shoreline development or redevelopment, the City may give mitigation credit to any beneficial restoration action that occurred within 10 years of the proposed development/redevelopment activity provided that:
 - a. The applicant/property owner declares the intent of the restoration or enhancement project as mitigation credit at the time of the restoration permit application; and
 - b. The City can confirm via site inspection, photographs, or other evidence that the restoration actions have improved shoreline conditions.
6. Where feasible, replacement compensatory mitigation should be required prior to impact and, if applicable, prior to final inspection and approval of building occupancy; and to ensure no net loss, the mitigation shall replace the functions as quickly as possible following the impact.

4.1.2.7 Regulations – Surety

1. The applicant/property owner shall provide assurance to the satisfaction of the Administrator, that the restoration area (including off-site mitigation) will be maintained in perpetuity. The assurance can be in the form of notice on title, conservation easement, or similar mechanism as approved by the City Attorney.
2. Except for projects undertaken by public entities, performance and/or maintenance bonds or other security shall be required by the City to assure that work is completed, monitored, and maintained. The bond/surety shall be refunded to the depositor upon completion of the mitigation activity and any required monitoring.

4.1.2.8 Regulations – Monitoring and Maintenance

1. When mitigation is required, a periodic monitoring program shall be included as a component of the required mitigation plan. To ensure the success of the required mitigation, monitoring shall occur for a minimum duration of five years from the date of the completed development. The monitoring plan may also require that periodic maintenance measures be included as recommended by a qualified professional. The duration of monitoring may be extended if the project performance standards set forth in the approved mitigation plan fail to be accomplished, or, due to project complexity, the approved mitigation plan requires a longer period of monitoring.

2. Monitoring programs may be forwarded for review and comment to state and/or federal resource agencies and affected tribes with jurisdiction.
3. Monitoring programs shall meet the requirements established in [Section 4.1.5.14, Critical Area Reports-Monitoring Requirements, Appendix B, B-6\(C\)\(2\)\(e\)](#).
4. All new and replacement shoreline stabilization projects shall complete and submit a minimum five-year monitoring and maintenance program that addresses the shoreline stabilization mitigation measures, and shall at a minimum include:
 - a. An annual site visit by a qualified professional for each of the five (5) years to assess the effectiveness of the mitigation; and
 - b. A progress report submitted to the Administrator annually, which includes any monitoring or maintenance recommendations of the qualified professional.

4.1.3 Vegetation Management

4.1.3.1 Applicability

Vegetation management is required for protection and conservation within the shoreline jurisdiction. Dimensional and other development standards, including buffers, are established based on site-specific development and conditions or as specified for that particular shoreline designation. The purpose of vegetation management is to protect and enhance the Island's natural character, water quality, native plant communities, and wildlife habitat within the shoreline jurisdiction. Vegetation management activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; [Appendix B](#); and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

Vegetation management includes conservation activities to protect and restore vegetation along or near marine and freshwater shorelines that contribute to the ecological functions and processes of shoreline areas. Vegetation management provisions include vegetation restoration, the prevention or restriction of plant clearing and earth grading, and the control of invasive weeds and nonnative vegetation species.

The Vegetation Management provisions apply to all shoreline development, and regulated uses and activities, including those that do not require a shoreline permit. Similar to other master program provisions, vegetation standards do not apply retroactively to existing uses and structures unless changes or alterations are proposed. Standards for vegetation management are established using current scientific and technical information pursuant to WAC 173-26-221(5)(b) and 173-26-201(2)(a), and are based on the use category, shoreline characterization and the designation. Standards are provided in Section 4.0, and Tables 4-2 and 4-3.

4.1.3.2 Goal

Protect and restore shoreline vegetation to maintain and enhance ecological functions and processes, shoreline views and vistas, human safety, and personal property.

4.1.3.3 Policies

1. Maintain existing shoreline vegetation to protect ecological functions and/or processes from adverse impacts of uses, activities and developments within the shoreline jurisdiction.
2. Emphasize the use of native vegetation species to maintain the ecological functions and/or processes and mitigate the direct, indirect, and/or cumulative impacts of shoreline development, uses and activities.
3. Provide flexible dimensional standards for buffers and setbacks that are based on performance standards designed to protect ecological functions and ecosystem-wide processes, including considering alternatives to planting native vegetation species if it can be demonstrated that the equivalent ecological functions can be provided.
4. Use monitoring programs to ensure the protection of shoreline ecological functions and ecosystem-wide processes, particularly when non-native vegetation species are used as an alternative to native vegetation.
5. Encourage the restoration or enhancement of shoreline vegetation through incentive programs.
6. Establish buffers immediately upland of OHWM for each shoreline designation, recognizing the pattern of development, shoreline ecological functions and ecosystem-wide processes, and using current science and technical information, as described in WAC 173-26-201(2)(a). In establishing buffers, consideration should be given to the land use patterns to minimize the number of existing structures that would not conform to buffer dimensional standards.
7. At the time of a proposal, allow site-specific dimensional standards for vegetation management areas for shoreline development, use or activity. Dimensional standards must protect shoreline ecological functions and ecosystem-wide processes.
8. Implement a public education program emphasizing the importance of shoreline vegetation management.
9. Allow selective vegetation clearing for views for new development and to maintain views from existing residences when slope stability and ecological functions and ecosystem-wide processes are not compromised. Trimming and pruning are generally preferred over removal of native shoreline vegetation.
10. Develop specific regulations for Point Monroe, based on vegetation and management practices appropriate for dune communities, sand spits, barrier beaches, barrier estuaries or barrier lagoons.

4.1.3.4 Regulations – Exceptions

1. Vegetation management standards shall not apply retroactively to existing lawfully established conforming and nonconforming uses and developments, including maintenance of existing residential landscaping, such as lawns and gardens. Property owners are strongly encouraged to voluntarily improve shoreline vegetation conditions over the long term.
2. Existing buffers and setbacks that have been established through previously approved subdivisions and indicated on the face of an approved plat shall be recognized and adhered to.
3. The following shall be exempt from the provisions of Section 4.1.3.
 - a. Maintenance trimming of vegetation that has a main stem or supporting structure which is less than three (3) inches in diameter; except that tree topping or other vegetation removal is not exempt.
 - b. Buffer enhancement through the removal of noxious or invasive weeds, provided the following are met:
 - i. The vegetation removal is based on consultation with the Kitsap County Noxious Weed Board or the species being removed are on the Washington State Noxious Weed List (WAC 16-750, or its successor); and
 - ii. The vegetation removal is conducted in a manner consistent with best management practices (BMP); and
 - iii. Replanting occurs in the disturbed area in accordance with Section 4.1.2.5, Revegetation Standards.
 - c. Removal of hazard trees, ~~as defined in Appendix B,~~ where a report by an arborist or other qualified professional demonstrates to the satisfaction of the Administrator that trimming is not sufficient to address the hazard provided:
 - i. Mitigation is provided in accordance with Section 4.1.2, Environmental Impacts, including:
 - A. Requiring that the downed tree be retained on the site to provide or enhance wildlife or marine habitat; and/or
 - B. When possible, require that the hazard tree be topped for safety and remain as a wildlife snag; or
 - ii. When a hazard tree is located in a geologically hazardous area, the applicant shall submit ~~a Bluff Management Plan~~ documentation of compliance with development standards pursuant to Section 4.1.5.10.4, Critical Areas. The hazard tree may be removed prior to the approval of the plan if it is necessary to protect life and property.
 - d. Commercial forest practices and the removal of trees pursuant to a Forest Practices Permit (Class II, III and IV-S only) issued by the Washington State Department of Natural Resources under the Washington State Forest Practices Act (RCW 76.09), except where such activities are associated with a conversion to other uses or other forest practice activities over which local governments have authority. For the purposes of this Program, preparatory work associated with

the conversion of land to non-forestry uses and/or developments shall not be considered a forest practice and shall be reviewed in accordance with the provisions for the proposed non-forestry use, the general provisions of this Program, ~~including Appendix B,~~ and shall be limited to the minimum necessary to accommodate an approved use.

4.1.3.5 Regulations - General

1. Development within the shoreline jurisdiction shall be located and designed to protect existing native vegetation from disturbance to the fullest extent possible, to mitigate impacts to existing vegetation, and to meet the standard of no net loss of ecological functions and processes, Section 4.1.2, Environmental Impacts.
2. Vegetation clearing, or grading, may not be undertaken within the shoreline jurisdiction without prior review and approval by the Administrator, unless otherwise exempt under Section 4.1.3.4, Regulations – Exceptions, or as provided in subsection 7 below, with an approved Standard Operation Procedure (SOP) manual. Clearing and grading may be subject to Section 4.1.4, Land Modification.
3. Two alternative methods may be used to meet the goals and policies of the Vegetation Management Section, as provided below, except the Point Monroe District shall meet the special provisions provided in subsection 9:
 - a. Site-Specific Vegetation Management Areas
 - i. As an alternative to the Shoreline Buffer dimensions provided in subsection b, below, an applicant may propose specific dimensional standards that meet the Vegetation Management goals and policies as determined through a Habitat Management Plan ~~prescribed in Appendix B, Section B-4,~~ provided that the plan demonstrates the following:
 - A. The proposed development is for a residential use.
 - B. The site-specific proposal assures there is no net loss of the property's specific shoreline ecological functions and associated ecosystem-wide processes pursuant to Section 4.1.2, Impact Analysis and No Net Loss; and
 - C. The site-specific proposal uses the scientific and technical information* compiled to support the Shoreline Buffer standards of Section 4.1.3.5(3)(b), and/or other appropriate technical information which, as determined by a qualified professional, demonstrates how the proposal protects ecological functions and processes and how it meets the goals and policies of this Section.
 - ii. The Habitat Management Plan shall be reviewed by the Administrator in accordance with provisions in Section 4.1.5.14 ~~Appendix B.~~ The Administrator may approve, approve with conditions, or deny the request.

The Administrator shall have the Habitat Management Plan reviewed by an independent third party, the cost of which will be borne by the applicant.

- iii. If the Site-specific Vegetation Management Area is approved, prior to permit issuance, the applicant shall record with the County Auditor a notice on title, or other similar document subject to the approval of the Administrator.

*Footnote: Scientific and technical information supporting the Shoreline Buffer standards is provided in the following documents available at the City of Bainbridge Island's Department of Planning and Community Development: *Documentation of Marine Shoreline Buffer Recommendation Discussions*, Memorandum, 2011, Herrera Environmental; *Addendum to Summary of Science*, 2011, Herrera Environmental; *Bainbridge Island Current and Historic Coastal Geomorphic/Feeder Bluff Mapping*, 2010, Coastal Geologic Services, Inc.; *Best Available Science*, 2003, Battelle; *Bainbridge Island Nearshore Habitat Characterization and Assessment*, 2004 Battelle.

- b. As an alternative to a Site-specific Vegetation Management Area, a Shoreline Buffer shall be maintained immediately landward of the OHWM and managed according to provisions of this section. The Shoreline Buffer shall meet the location and design standards of Section 4.1.3.6, Regulations – Shoreline Buffer – Location and Design Standard. The Shoreline Buffer shall be composed of two zones:
 - i. Zone 1, an inner protective buffer area located immediately abutting the OHWM; and
 - ii. Zone 2, the remaining portion of the Shoreline Buffer located immediately abutting Zone 1.
4. The Shoreline Buffer or Site-specific Vegetation Management Area shall be maintained in a predominantly natural, undisturbed and vegetated condition. Unless specifically allowed by this program, the following standards shall apply:
 - a. All existing native groundcover, shrubs and significant trees located within the Shoreline Buffer or Site-specific Vegetation Management Area shall be retained;
 - b. All activities shall be performed in compliance with the applicable standards contained in the Vegetation Management Section, unless the applicant demonstrates that alternate measures or procedures are equal or superior in accomplishing the purpose and intent of the Vegetation Management Section, including no net loss of ecological functions and ecosystem-wide processes.
 - c. The use of pesticides are prohibited unless specifically allowed in Section 4.1.6, Water Quality and Stormwater Management.

5. New vegetation planted in the Shoreline Buffer or Site-specific Vegetation Management Area, unless otherwise provided for in zone-specific requirements Section 4.1.3.6 (6), shall be:
 - a. Native species using a native plant-community approach of multi-storied, diverse plant species that are native to the Central Puget Lowland marine riparian zone.
 - b. Other plant species may be approved that are similar to the associated native species in diversity, type, density, wildlife habitat value, water quality characteristics, and slope stabilizing qualities, excluding noxious/invasive species provided that, as submitted by a qualified professional, it is demonstrated to the satisfaction of the Administrator that the selected ornamental plants can serve the same ecological function as native plant species.
6. Significant trees located outside the Shoreline Buffer or Site-specific Vegetation Management Area but within the shoreline jurisdiction, shall be retained unless allowed to be removed under the exceptions or other provisions of this program provided:
 - a. The Administrator may require alterations of a site plan in order to retain significant trees outside the Shoreline Buffer or Vegetation Management Area. This may include minor adjustments to the location of building footprints, the location of driveways and access ways, or the location of walkways, easements or utilities.
7. Vegetation clearing and maintenance activities, except those which are part of new construction, are allowed consistent with an approved SOP manual for vegetation maintenance and management of public parks, public trails, public rights-of-way or easements, publicly-owned property, and/or other areas normally maintained by the City. A shoreline substantial development permit may be required for the SOP manual. The SOP manual shall include the following prescriptive elements:
 - a. Procedures for maintaining vegetation on shoreline properties, shoreline trails or shoreline rights-of-way and easements, including procedures for noxious weed removal;
 - b. Procedures for maintaining vegetation in Critical Areas, Shoreline Buffers, or Site-specific Vegetation Management Areas, or other sensitive land areas, including areas with cultural resources;
 - c. Procedures for mitigation and vegetation replanting including appropriate species list; and
 - d. Procedures for review and approval of allowed activities occurring under the scope of the SOP, including procedures for documenting activities.
8. Minor vegetation removal outside the shoreline buffer or site-specific vegetation management area on a developed property not associated with new construction may be allowed, as provided in this program with an approved clearing permit provided:

- a. The Administrator may grant approval of minor vegetation clearing if it meets the provisions of this Program and the following:
 - i. The minor vegetation clearing allowed within a three (3) year period will include an area no greater than 200 square feet in area and/or no more than 3 non-significant trees per 20,000 square feet up to a maximum of six (6) trees; and
 - ii. Native vegetation will not be removed from the Shoreline Buffer or Vegetation Management Area; and
 - iii. All applicable standards of an approved Vegetation Management Plan are met; and
 - iv. The replanting is performed pursuant to Section 4.1.2.5, Revegetation Standards; and
 - v. ~~A Bluff Management Plan is provided pursuant to~~ Documentation of compliance with the development standards in Section 4.1.5.10.4 provided by a licensed geotechnical engineer ~~Section 4.1.5, Critical Areas~~ for any vegetation alteration in a geologically hazardous area.
 - b. Proposed clearing must meet the provisions of Sections 4.1.2, Environmental Impacts and 4.1.4, Land Modification.
9. **Special Provisions for Point Monroe District.** Shoreline Buffers or Site-specific Vegetation management Areas are not required for properties located in the Point Monroe District; the following specific vegetation provisions shall apply:
- a. All properties in the Point Monroe District shall retain existing native vegetation and shall be subject to a Point Monroe vegetation management area (PVMA).
 - b. The PVMA shall include areas that are:
 - i. Within thirty (30) feet of the OHWM and within the required side yard and the salt marsh fringe; and
 - ii. Outside any designated development area as approved pursuant to Section 5.9.6(2).
 - c. The PVMA shall be managed and maintained in vegetation communities appropriate to dune, sand spit, barrier beach, barrier estuary, or barrier lagoon, including salt marsh.
 - d. Developed properties shall retain existing native vegetation (including dune grass and salt marsh plant communities) in those areas that are not developed with legally established impervious surfaces.
 - e. Any new development or alterations and expansion of existing development shall assess impacts to existing vegetation and meet the no net loss standard pursuant to Section 4.1.2, Environmental Impacts.

4.1.3.6 Regulations – Shoreline Buffer – Location and Design Standard

- 1. The total depth of the Shoreline Buffer is based on the shoreline designation and the physical and most predominant geomorphic characteristics of the property. The depth of the Shoreline Buffer will be determined by the Administrator according to criteria below.

- a. Property-specific physical and geomorphic characteristics of the particular lot will determine the maximum width (Category A) or minimum width (Category B) of the Shoreline Buffer, as follows:
 - i. Shoreline Buffer Category A: The property contains or abuts a spit/barrier/backshore, or marsh, or lagoon; or
The property contains or abuts a low bank and the existing native tree and shrub vegetation cover is at least 65% of the area of Shoreline Buffer Zone 1.
 - ii. Shoreline Buffer Category B: The property is shallow (200 feet in depth or less, as measured landward), or located on a high bluff, or does not meet any of the characteristics of Category A.
 - b. Shoreline Buffer standard depth in Table 4-3
 - c. As determined by the Administrator, buffers do not extend beyond an existing public paved street or an area which is determined by the Administrator to be functionally isolated from the shoreline or critical area. In these limited instances the no net loss of shoreline ecological function and processes still apply to properties within the shoreline jurisdiction.
2. The total area of the Shoreline Buffer shall be the equivalent of the length of the property along the shoreline, multiplied by the required buffer depth as prescribed for the specific shoreline designation in which the property is located. See Figure 4-1.
 3. The Shoreline Buffer consists of two zones. The depth of each of the two zones within the Shoreline Buffer is determined as follows:
 - a. Zone 1 shall extend from the ordinary high water mark (OHWM) a minimum of 30 feet, or to the limit of existing native vegetation whichever is greater. The native vegetation limit is determined through a site-specific analysis of existing conditions, and in no case shall Zone 1 be greater than the depth of the Shoreline Buffer.
 - b. Zone 2 shall be established immediately landward of the Zone 1 and extend no further than the depth of the Shoreline Buffer.
 4. The following zone specific planting regulations apply to the Shoreline Buffer:
 - a. New lawns are not permitted in Zone 1.
 - b. In Zone 2, one-third (1/3) of the area may be planted in a combination of grass lawns and approved structures provided:
 - i. Significant native trees are not removed to establish such use, or
 - ii. The buffer has been reduced through view provisions of Section 4.1.3.11.
 - c. The remaining two-thirds (2/3) of Zone 2 shall be maintained in a native vegetative state.

- d. Planted areas in which fertilizers might be applied shall be located as far landward of Zone 1, as feasible.

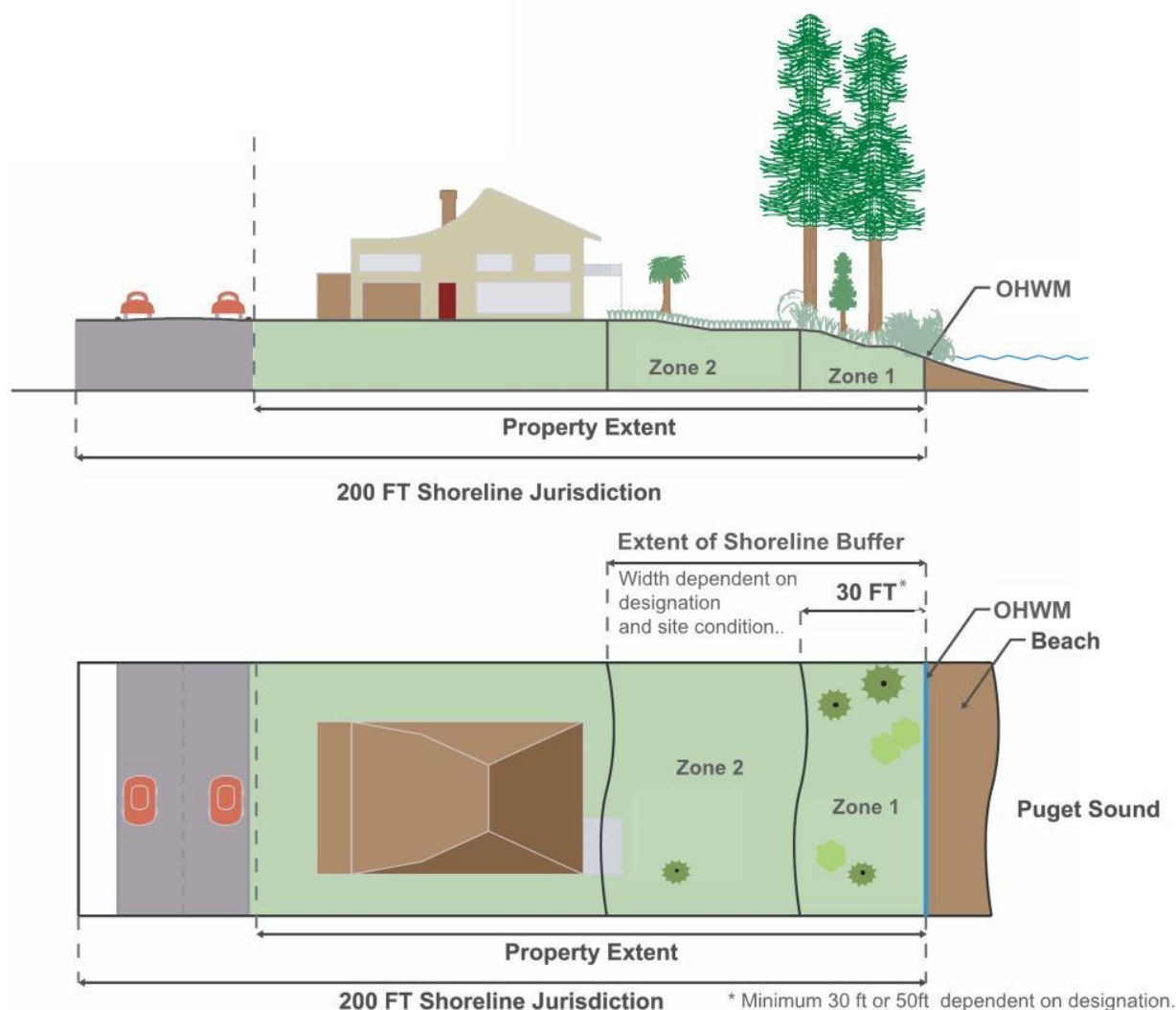


Figure 4-1 Dual Shoreline Buffer

4.1.3.7 Regulations – General Vegetation Alterations in Shoreline Buffers or Site-specific Vegetation Management Areas

1. The following activities are allowed within the Shoreline Buffer and Site-specific Vegetation Management Area with an approved clearing permit. Such activities shall meet the standards of Section 4.1.4, Land Modification.

- a. Existing landscape areas may be retained within the Shoreline Buffer or Site-specific Vegetation Management Area. However, any changes from the existing landscape to a different landscaping use or activity will require that the modified area comply with the provisions of 4.1.3, Vegetation Management, and the intent of providing native vegetation to maintain ecological functions and processes.
- b. Minor Pruning. Tree pruning, including thinning of lateral branches to enhance views, or trimming, shaping, thinning or pruning necessary for plant health and growth and which does not harm the plant, is allowed consistent with the following standards:
 - i. All pruning shall meet the American National Standard Institute (ANSI) tree pruning standards;
 - ii. In no circumstance shall removal of more than one-fourth (1/4) of the original crown be permitted within a three year period;
 - iii. Pruning shall not include topping, stripping of branches or creation of an imbalanced canopy; and
 - iv. Pruning shall retain branches that overhang the water.
- c. Vegetation Removal Related to Construction. Tree or vegetation removal within the Shoreline Buffer or Site-Specific Vegetation Management Area that is associated with new construction may be allowed, but must retain significant trees and shall meet the requirements of Section 4.1.2, Environmental Impacts, including replanting provisions.
- d. Vegetation Removal Related to Public Facility Maintenance. Tree or vegetation removal within the Shoreline Buffer or Site-specific Vegetation Management Area that is associated with maintenance of existing public facilities (including: roads, paths, bicycle ways, trails, bridges, sewer infrastructure facilities, storm drainage facilities, fire hydrants, water meters, pumping stations, street furniture, potable water facilities, and other similar public infrastructure), may be approved by the Administrator if no significant trees are removed, the requirements of Section 4.1.2, Environmental Impacts are met, and the maintenance is measures meet the goals and policies of Section 4.1.3, Vegetation Management, or as approved in a SOP manual as provided in Section 4.1.3.5(7). The following activities are exempt from this requirement:
 - i. Removal of vegetative obstructions required for sight distance and visual clearance at street intersections provided in the Public Works Design and Construction Standards and Specifications.
- e. Underground Utilities. Utilities that run approximately perpendicular to the buffer (for example, a stormwater tightline to the water to protect a slope or a sewer line to a marina), may be allowed within the Shoreline Buffer or Site-

specific Vegetation Management Area, provided that disturbance is minimized and the disturbed area is revegetated after construction; and

f. Other Approved Development in the Shoreline Buffer or Site-specific Vegetation Management Area.

i. Potable water wells; and

ii. Approved shoreline stabilization;

2. Shoreline Buffer Reductions.

a. When the prescriptive buffer depth is reduced or dimensions altered through provisions of this Program, the applicant shall record a notice on title, or other similar document with the County Auditor prior to permit issuance, subject to the approval of the Administrator.

b. If the required depth of a Shoreline Buffer for a single-family residential property is reduced in accordance with the Shoreline Structure Setback provisions of Section 4.1.3.11 or other reductions allowed through this Program, Zone 1 must be restored in accordance with provisions of Section 4.1.2.5.

3. Stairways to the shoreline shall not exceed 300 square feet for private use, the minimum necessary for public use and are not included in the total square footage allocations prescribed in subsections 4.1.3.8(3) of this Program.

a. Larger stairways serving a single-family residence may only be allowed through approval of a Shoreline Variance.

i. As an alternative to a stairway larger than 300 square feet and to reduce environmental impacts, a tram may be allowed without a variance.

b. Stairway design shall meet the following minimum criteria:

i. International Codes for:

A. Hand Railings;

B. Stairway width; and

C. Tread Depth.

ii. Landings are required, unless demonstrated not to be necessary, and shall be determined by:

A. Existing site topography;

B. Personal safety; and

C. Slope stability.

4.1.3.8 Vegetation Alterations Standards – Residential Development

Minor clearing, grading or construction may be allowed within the Shoreline Buffer or Site-specific Vegetation Management Plan for a residential development with approval of the

Administrator pursuant to Section 4.1.3.7(1)(a), and only for the following activities as prescribed below and pursuant to Section 4.1.4, Land Modification:

1. Maintenance of existing residential landscaping is allowed subject to Sections 4.1.3.5(8) and 4.1.3.7. 2. One (1) hand installed pervious trail to the shoreline not more than four (4) feet in width, which may include hand installed steps, and shall be designed to minimize environmental impacts. No significant trees shall be removed. The trail may be wider when required for handicapped or public access. For single-family residential development vegetation trimming is limited to two (2) feet on either side of the trail.
3. Non-habitable structures appurtenant to a single-family use, such as a boat house, deck/patio and/or stairway may be allowed consistent with the following standards, except that all structures are prohibited in Zone 1 when upland of a Priority Aquatic – Category A designation.
 - a. For Site-specific Vegetation Management Areas, the total square footage of all buildings or structures must not exceed 300 square feet in area.
 - b. For Shoreline Buffer areas, the total square footage of all buildings or structures must not exceed 400 square feet or 10% of the Shoreline Buffer area, whichever is less.
 - c. For Shoreline Buffer areas, only 10% of the total allowed square footage or 300 square feet, whichever is less, can be located in Zone 1, except when upland of Priority Aquatic B, the total allowable square footage is 5% of Zone 1 or 150 square feet, whichever is less.
 - d. All structures must be designed to not significantly impact views from adjoining property primary buildings.
 - e. All structures must meet the following standards:
 - i. Only water-related structures are allowed within 30 feet of the OHWM or in Zone 1, including a boathouse, permeable deck, boat storage, or staircase.
 - ii. Shall not exceed 12 feet in height above existing grade.
 - iii. Decks and/or patios shall be permeable and shall not exceed 30 inches in height above existing grade.
4. View Maintenance – Single-family Residential Only.

Shoreline residential use and development shall use all feasible techniques to maximize retention of existing native shoreline vegetation within the Shoreline Buffer and the Site-specific Vegetation Management Area.

 - a. Limited removal of existing trees or vegetation located on the same property as a single-family residence may be allowed for maintenance of a pre-existing view from the primary structure, or to establish a view for a new primary structure provided the following are met:

- i. The applicant demonstrates to the satisfaction of the Administrator that the vegetation removal is the minimum necessary to re-establish or establish a view of the water similar to that enjoyed by other residences in the area and that pruning methods are not sufficient to provide an adequate view of the water similar to that enjoyed by other residences in the area; and
 - ii. Existing significant native trees are not removed within the Shoreline Jurisdiction, unless exempt; and
 - iii. In no instance, including accounting for other approved alterations as provided in Section 4.1.3, shall vegetation removal exceed twenty (20) percent of the required Shoreline Buffer area or Site-specific Vegetation Management Area or reduce the vegetation canopy coverage to less than 65% in the Shoreline Buffer or Vegetation Management Area.
 - A. Vegetation removal occurring adjacent to the shoreline shall also be limited to fifteen (15) linear feet of the water frontage; and
 - iv. ~~The applicant shall obtain an approved Bluff Management Plan pursuant to Section 4.1.5, Critical Areas~~ Documentation of compliance with the development standards in Section 4.1.5.10.4 provided by a licensed geotechnical engineer for any vegetation alteration in a geologically hazardous area. The cost and preparation of the plan is the responsibility of the applicant; and
 - v. All vegetation removal complies with other applicable requirements of this Program (such as clearing and grading, forest practices, and protection standards for fish and wildlife habitat), including the no net loss and/or revegetation standards in Section 4.1.2.
- b. The Administrator may deny a request or condition approval for vegetation alteration proposals for view maintenance if it is determined that the action will result in an adverse effect to any of the following:
- i. Slope stability;
 - ii. Habitat value;
 - iii. Health of surrounding vegetation;
 - iv. Risk of wind damage to surrounding vegetation;
 - v. Nearby surface or ground water; or
 - vi. Water quality of a nearby water body.

4.1.3.9 Vegetation Alteration Standards – Commercial and Industrial Development in Shoreline Buffers

Minor clearing, grading, or construction may be approved within the Shoreline Buffer for a commercial or industrial development with approval of the Administrator pursuant to Section

4.1.3.7(1)(a) and only for the following activities as prescribed below and pursuant to Section 4.1.4, Land Modification:

1. Primary appurtenant structures to a commercial use that either support public access or are necessary to support a water-dependent use shall be allowed within the buffer when the applicant has demonstrated a need for the shoreline location, except that all structures are prohibited in Zone 1 when upland of a Priority Aquatic designation.
2. When appurtenant structures are allowed they must be the minimum necessary to meet the needs of the water-dependent use or public access requirements of Section 4.2.4, Public Access.

4.1.3.10 Vegetation Alteration Standards – Public Park Development in Shoreline Buffers

Minor clearing, grading, or construction may be allowed within the Shoreline Buffer for a public park development with approval of the Administrator consistent with the following or pursuant to Section 4.1.3.7:

1. Vegetation clearing and maintenance is allowed in accordance with an approved SOP manual that meets Section 5.1.3.5(7) and the standards of this Program.
2. Maintenance of existing public trails, provided the vegetation trimming is limited to four (2) feet on either side of the trail and no significant trees are removed.
3. Alterations that are included in a Park Development or Concept Plan. Minor clearing, grading, or construction for which the size and extent of proposed disturbed areas located within the Shoreline Buffer have been determined as part of a park development plan or concept park plan, with due consideration of the intended park use; and provided all proposed disturbance areas meet the no net loss standards pursuant to in accordance with Section 4.1.2. Environmental Impacts; and provided appropriate permits are obtained, including those pursuant to Section 4.1.4, Land Modification;
4. Alterations that are not part of a Park Development or Concept Plan. The following minor clearing, grading, or construction activities may be allowed without an approved park development plan or conceptual park plan:
 - a. Maintenance of existing public trails is allowed, provided maintenance is limited to the existing size of the trail, any vegetation trimming is limited to four (4) feet on either side of the trail, and no significant trees are removed.
 - b. New public pathways or trails to the shoreline provided it is demonstrated that the size and extent of the public pathways has been determined with due consideration of the intended park use.
 - c. Structures.
 - i. Primary appurtenant structures to a public park and recreational use that either support public access or are necessary to support a water-dependent

recreation use shall be allowed within the Shoreline Buffer when a need for the shoreline location is demonstrated, except that all structures are prohibited in Zone 1 when upland of a Priority Aquatic designation. When appurtenant structures are allowed, they must be the minimum necessary to meet the needs of the water-dependent use or public access requirements of Section 4.2.4, Public Access.

- ii. The total square footage of all buildings or structures must not exceed 6,000 square feet or 10% of the Shoreline Buffer area, whichever is less.
 - A. Only 10% of the total allowed square footage or 1,000 square feet, whichever is less, can be located in Zone 1.
- iii. All structures must be designated to not significantly impact views from adjoining property primary buildings.
- iv. All structures must meet the following standards:
 - A. Only water-related recreational furniture, amenities and structures are allowed in Zone 1, including but not limited to, picnic tables, benches, interpretive kiosks, viewing platforms, boardwalks, pervious trails or staircases, recreational furniture, signs, pervious trails, and staircases are not included in the maximum square footage allocations prescribed in subsection 4.c.ii, above;
 - B. Accessory recreation buildings, including restrooms, picnic pavilions and service roads that serve such structures may be allowed in Zone 2 and buildings shall not exceed 12 feet in height above existing grade;
 - C. Stairways may exceed 300 square feet, provided that it is demonstrated that a greater area is necessary to meet public access and public use demands. Stairways shall conform to the standards of the Building Code as adopted in BIMC Chapter 15.04.; and
 - D. Boat ramps and other boating facilities may be allowed pursuant to Section 5.4, Boating Facilities.

4.1.3.11 Regulations – Shoreline Structure Setback View Requirement

1. To protect existing predominate shoreline views and accommodate shoreline views for a new single-family primary residential structure or addition to a primary residential structure, the Administrator may allow Zone 2 of the Shoreline Buffer to be altered when there is an existing primary residential structure located within 100 feet of the property line of the subject property and topographical or other relevant information indicates that the view of the shoreline from the subject property or the adjacent residence would be impacted by existing or proposed development. The shoreline structure setback line may also require that new structures be set farther away from the shoreline to preserve existing views

enjoyed by an adjoining single-family primary structure that was established earlier. These provisions apply to single-family residences only, except in the Point Monroe District.

- a. Setbacks for the purpose of this subsection are based on the location of primary residential structure(s) existing at the time a new primary residential building permit is submitted. A primary residential structure constructed in compliance with the required shoreline setback is not made nonconforming by the later construction of a primary residential structure in a different location on an adjoining lot.
 - b. The shoreline structure setback provisions apply only to primary single-family residential structures located within the 200-foot shoreline jurisdiction, where an existing primary single-family residential structure is located within 100 feet of the subject property line. All measurements are to the closest primary residential structure on either side of the subject property as measured parallel to the shoreline.
 - c. In determining the shoreline structure setback line, the Administrator may also consider topography or other physical property constraints in addition to the provisions of subsection 4 and 5, below. Applicants may submit detailed information regarding how property constraints impact the predominate shoreline views from either the subject property's proposed primary residential structure or adjoining properties' primary residential structure(s).
2. The Shoreline Buffer on the subject property may be reduced below the depth requirements identified in Table 4-3 to allow a new primary residential structure to be located within Zone 2 provided the conditions in Section 4.1.3.7(2) are met. Mitigation of proposed residential development shall be required pursuant to Section 4.1.2, Environmental Impacts.
3. In no case shall the subject property be permitted to locate a new primary residential structure within the site's specified Zone 1 of the Shoreline Buffer, unless a Shoreline Variance is granted.
4. Adjoining Development Located Within Shoreline Buffer. The setback requirement for the subject property shall be based on the location of the adjoining properties' primary residential structure(s) as described in subsections (a) through (d) below.
 - a. Primary Residential Structure Located on One Side. When an existing primary residential structure is located on one side of the subject property, the shoreline structure setback line shall be determined as follows:
 - i. If the adjoining primary residence is partially or wholly located within Zone 2, the shoreline setback line is determined by drawing a line from the most waterward point of the adjoining primary residential structure to the point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 4.1.a below).

- ii. If the adjoining primary residence is located partially or wholly in Zone 1, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property and the adjoining property's Zone 1 boundary, to the point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 4.1.b, below).
- b. Primary Residential Structure Located on Both Sides. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined as follows:
 - i. If both the adjoining primary residential structures are located partially or wholly in Zone 2, then the shoreline structure setback line shall be determined by drawing a line between the most waterward points of each of the adjoining primary residential structures. (See Figure 4.1.b, below)
 - ii. If one of the adjoining primary residences is partially or wholly in Zone 1, and the other adjoining primary residence is partially or wholly in Zone 2, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property and the adjoining property's Zone 1 boundary (for that adjoining residence located in Zone 1), to the most waterward point of the other adjoining primary residential structure located in Zone 2. (See Figure 4.1.b, below).
 - iii. If both of the adjoining primary residences are located partially or wholly within Zone 1, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property's Zone 1 boundary and the adjoining property's Zone 1 boundary to the same intersection point on the subject property's opposite property line. (See Figure 4.1.c. below)
- c. Primary Residential Structure Located on a Shoreline Forming a Cove or Headland. The Administrator shall make the determination whether a shoreline forms a cove or headland. When existing primary residential structures are located on a cove or headland, the shoreline structure setback line shall be determined as follows:
 - i. If there is a primary residential structure on only one side of the subject property, then the shoreline structure setback line for the subject property shall be either the distance from the OHWM to the most waterward portion of the primary residence structure of the adjoining property, or the subject property's Zone 1, whichever is greater.
 - ii. If there are adjoining primary residential structures located on both sides of the subject property, the shoreline structure setback line shall be determined by averaging the distance from OHWM to the most waterward portion of the two adjoining property's primary residential structures. (See Figure 4-1(c) ii, below)

5. Adjoining Development Located Outside the Shoreline Buffer. The setback requirement for the subject property shall be based on the location of the adjoining properties' primary residential structure(s) as described in subsections (a) and (b) below.
- a. Primary Structure Located on One Adjoining Property, Outside Shoreline Buffer. When an existing primary residential structure is located on one side of the subject property, the shoreline structure setback line shall be determined by drawing a line from the most waterward point of the primary residential structure of the adjoining property to a point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 5-1(a), below).
 - b. Primary Structures Located on Both Adjoining Properties, Outside the Shoreline Buffer. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined by drawing a line between the most waterward points of each of the adjoining primary residential structures. (See Figure 5-1(b), below).
 - c. Primary Structures Located on Both Adjoining Properties, Outside the Shoreline on a Cove or Headland. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined by averaging the distance from OHWM to the most waterward portion of the two adjoining property's primary residential structures. (See Figure 5-1(c), below).

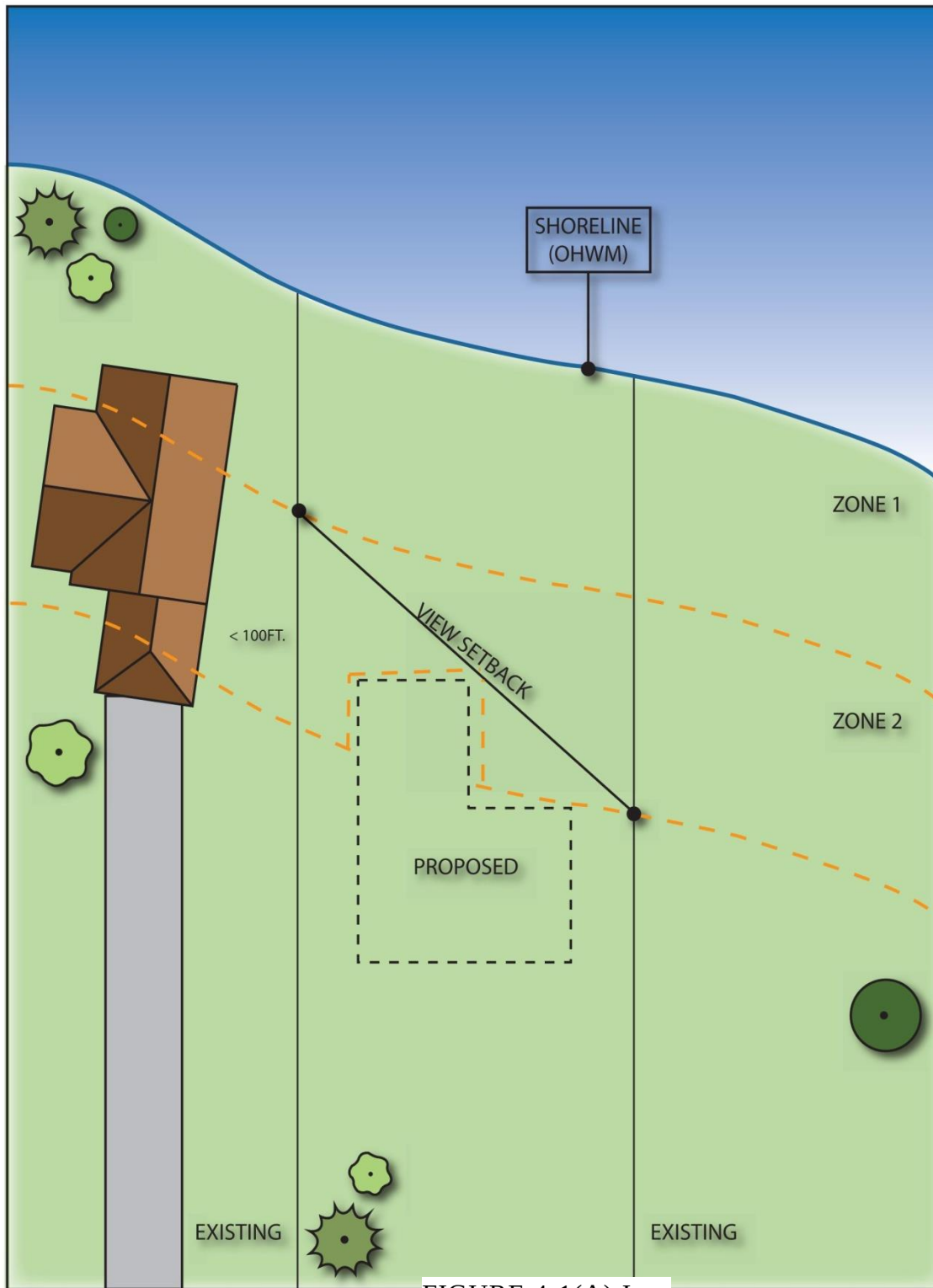


FIGURE 4-1(A) I

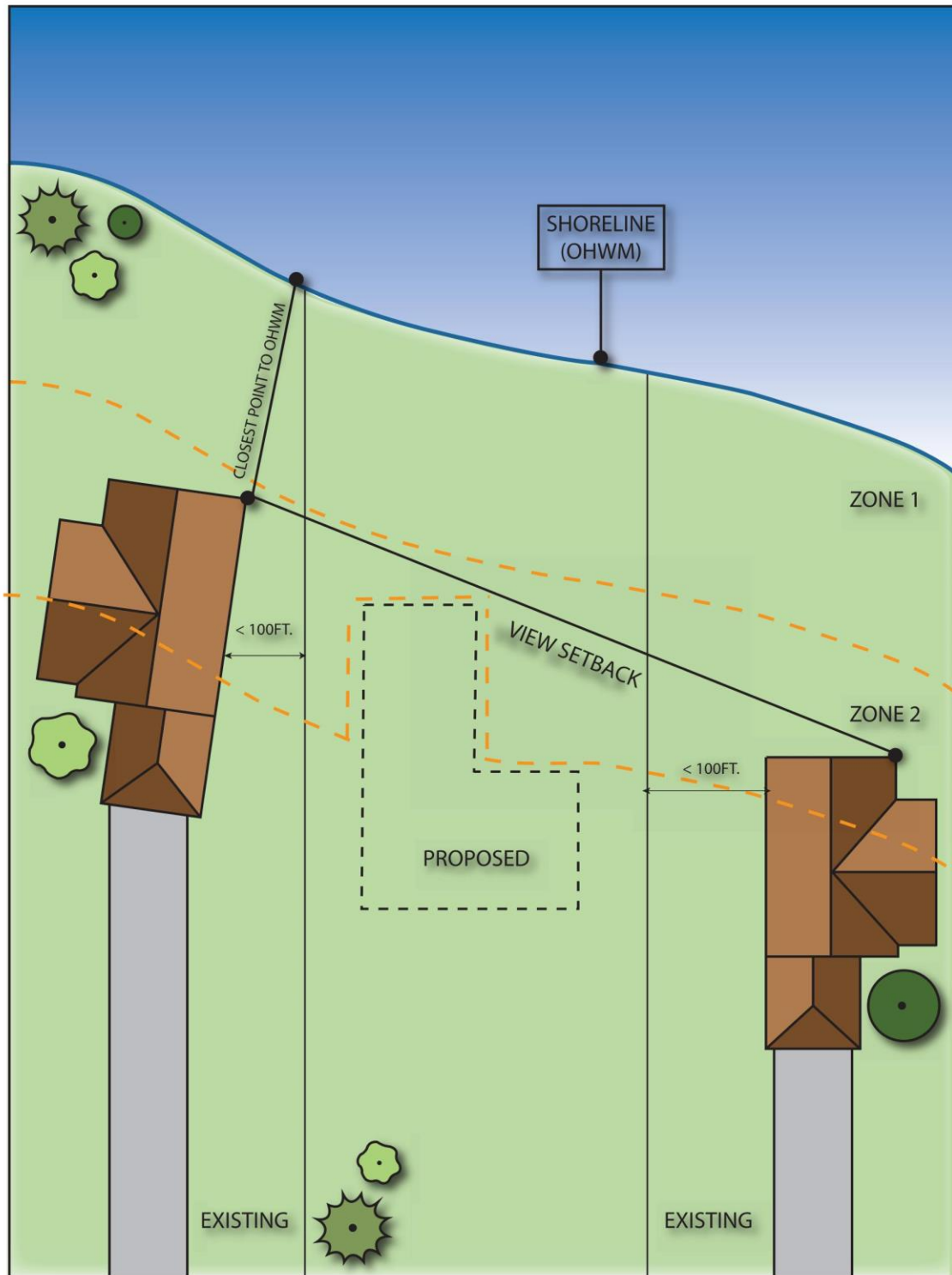


FIGURE 4-1(B) I

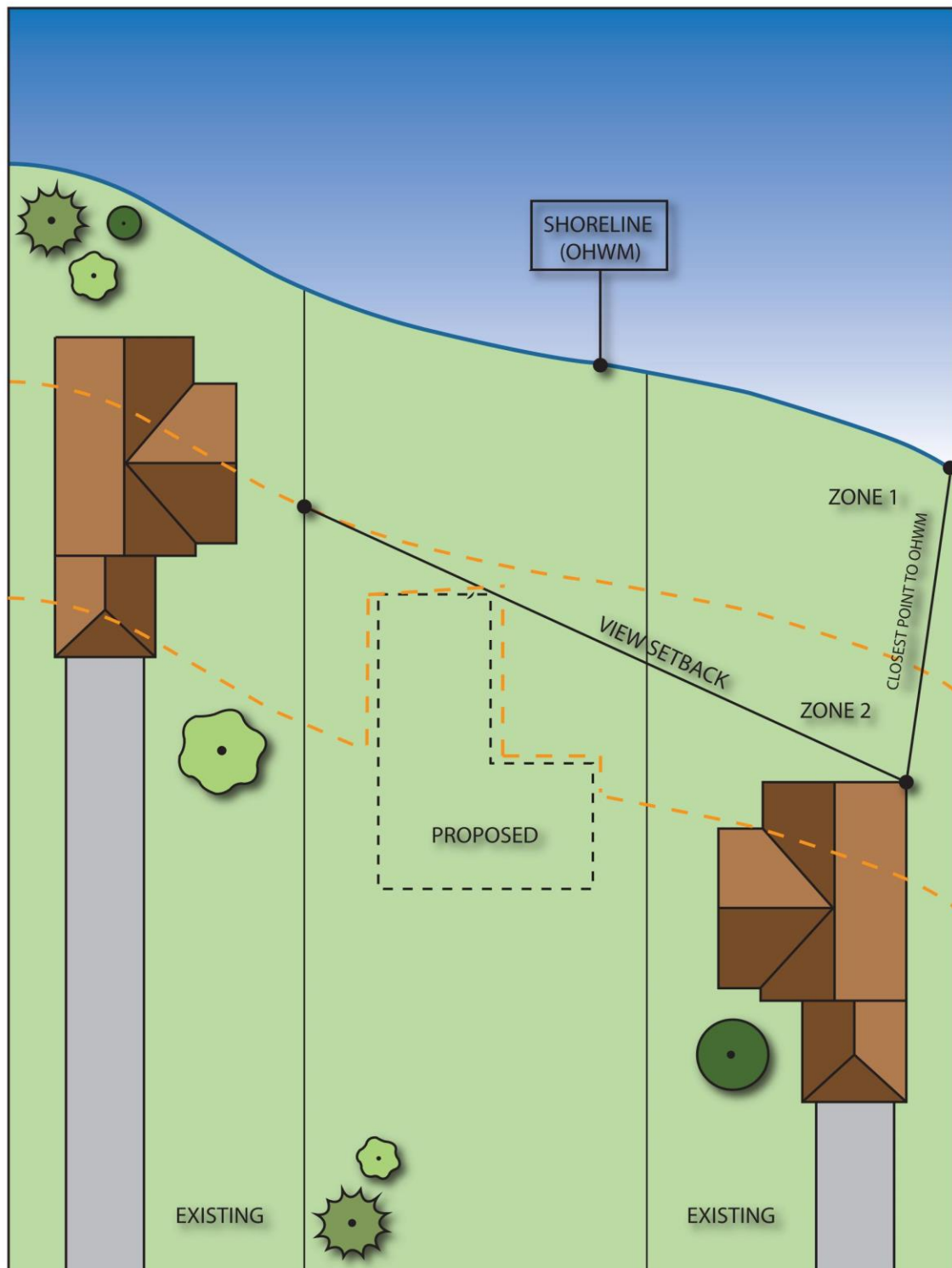


FIGURE 4-1(B) II

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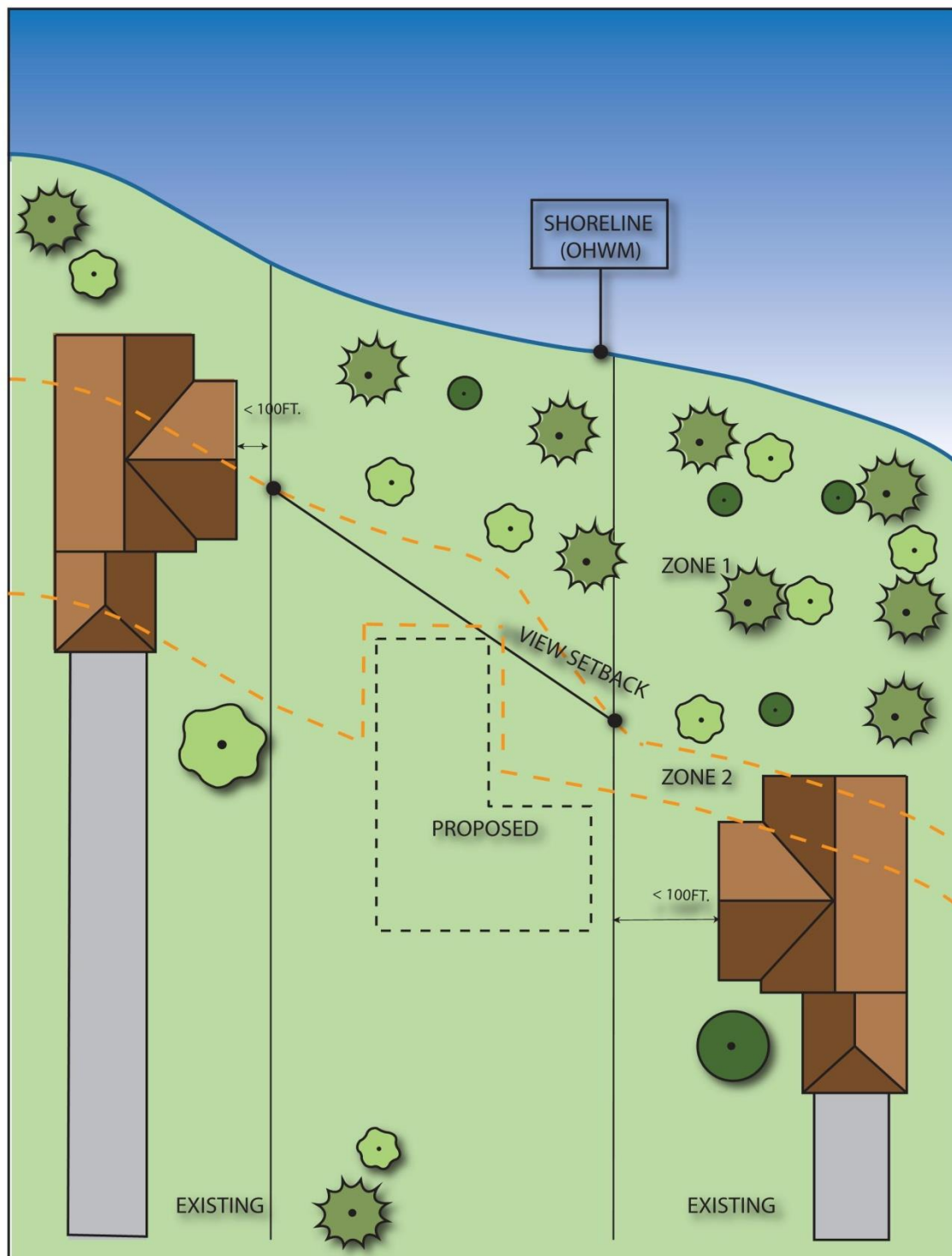
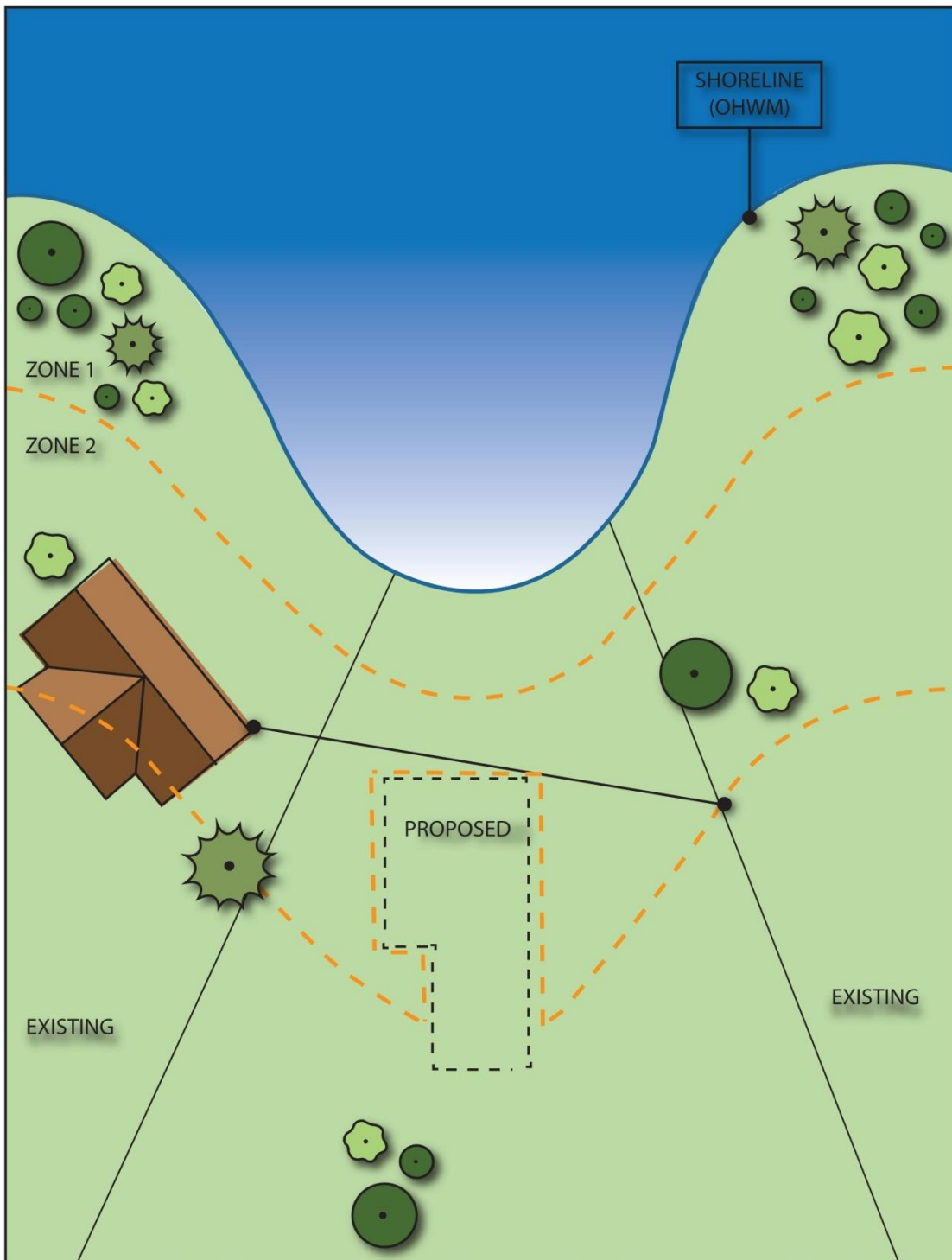


FIGURE 4-1(B) III



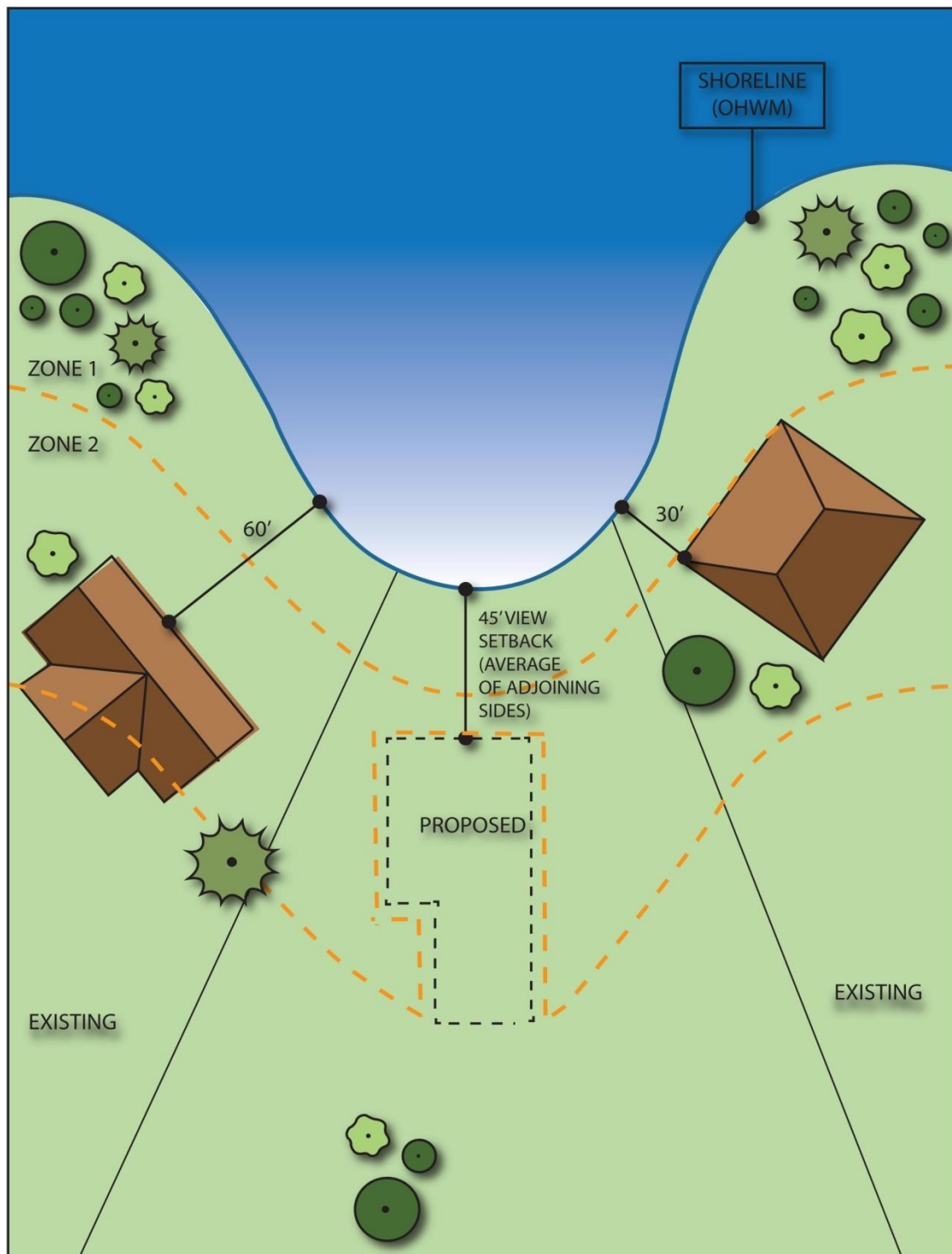


FIGURE 4-1(C) II

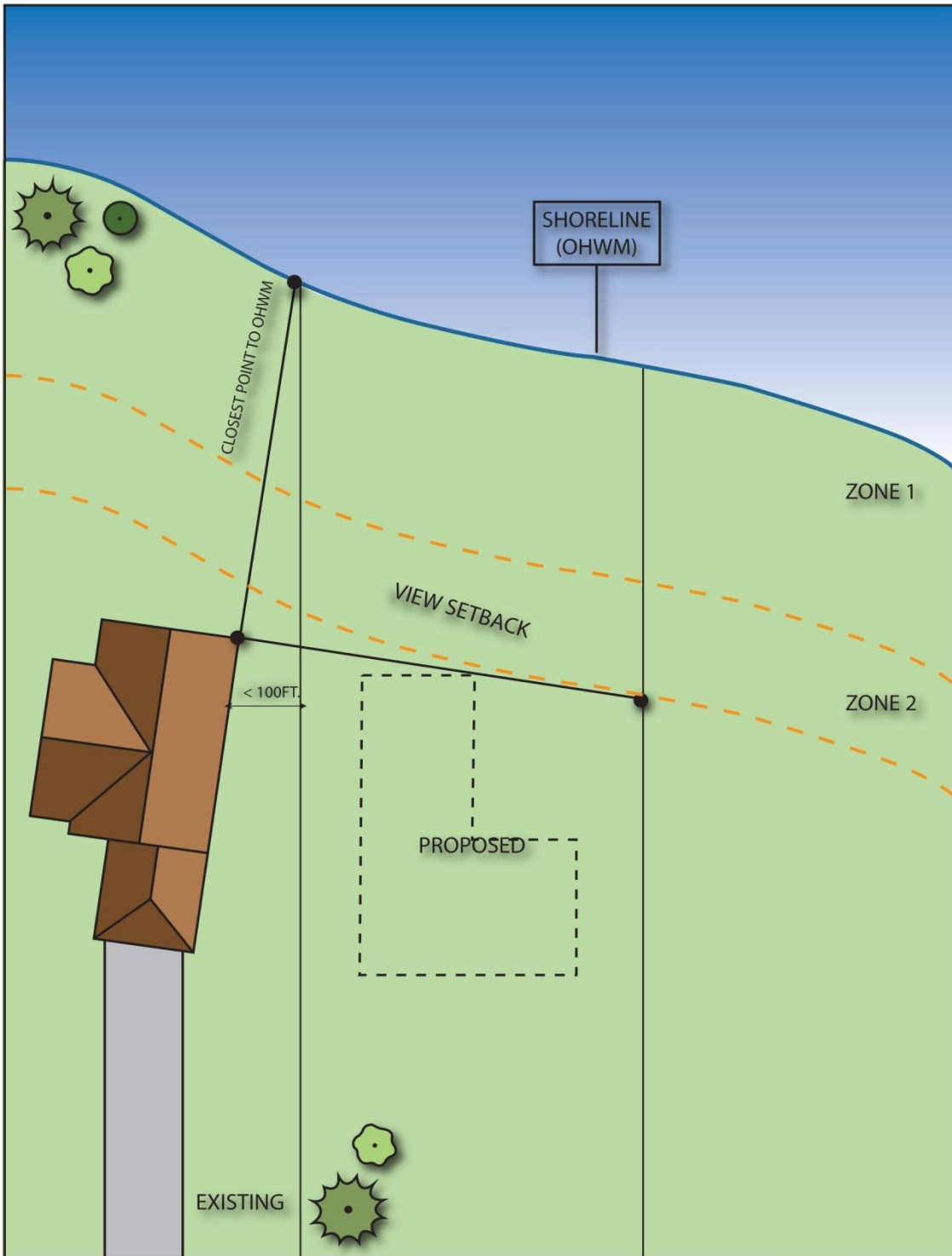


FIGURE 5-1(A)

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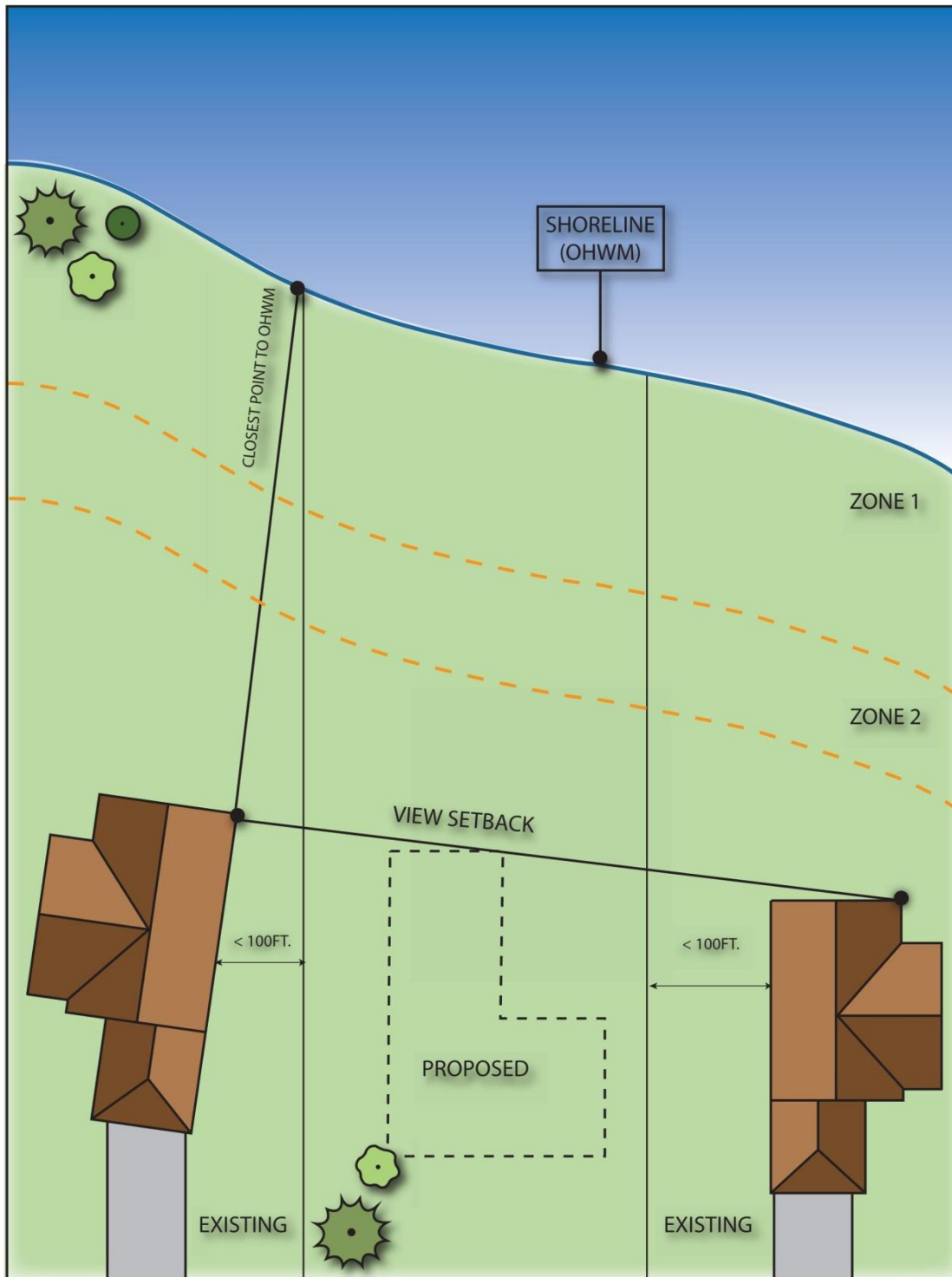


FIGURE 5-1 B

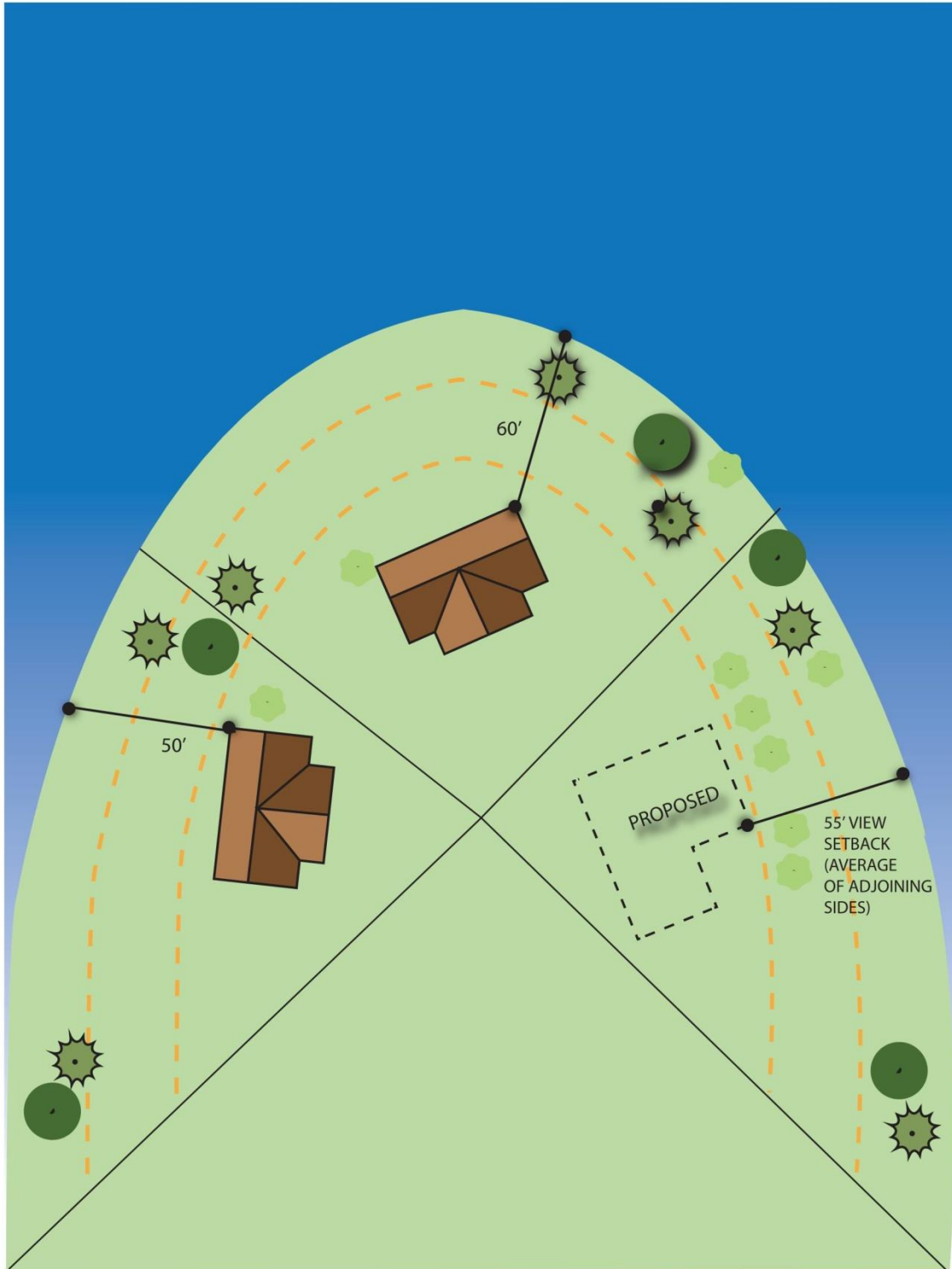


FIGURE 5-1 C

Bainbridge Island Shoreline Master Program – Effective Date 07/30/2014
Draft SMP Amendment – January 8, 2019

4.1.4 Land Modification

4.1.4.1 Applicability

All shoreline uses and activities must conform to the clearing and grading provisions herein, including development which does not require a shoreline permit. Shoreline development and land modification activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island Wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.4.2 Policies

1. Allow alteration of the natural landscape only in association with existing legal uses or new permitted or allowed shoreline use/or development. Prohibit speculative clearing, grading, or vegetation removal.
2. Avoid and minimize potential adverse impacts from land surface modification activities through proper site planning, construction timing practices, and use of erosion and drainage control methods. Generally, these activities should limit alteration of the natural landscape to the minimum extent necessary to accommodate the proposed use, and should be designed and located to protect shoreline ecological functions and ecosystem-wide processes.
3. Assure clearing and grading activities are consistent with the Stormwater Manual to prevent adverse impact to wildlife habitat, streams, lakes, and wetlands from erosion.
4. For clearing and grading proposals, provide a clearing and grading plan addressing vegetation removal, erosion and sedimentation control, and protection of critical areas and shoreline vegetation conservation and management zones. Use low impact development techniques to minimize adverse impacts to natural hydrologic conditions, such as soil compaction and transpiration.
5. Promptly replant disturbed areas following project completion. Replanting with native shoreline vegetation should be a priority, however, flexible planting plans that incorporate non-native plant species which provide similar functions and ecosystem-wide processes can be considered.

4.1.4.3 Regulations – Prohibited

1. All clearing and/or grading not associated with an approved development, use or activity, unless specifically provided for in this program.

4.1.4.4 Regulations - General

1. Clearing and/or grading within shoreline jurisdiction shall require an approved clearing or grading permit in association with an existing legal use or a new permitted or allowed shoreline use or development. Such activities shall meet the mitigation and revegetation provisions in Section 4.1.2, Environmental Impacts and Section 4.1.3, Vegetation Management.
2. Upon completion of development, use or activity, the remaining cleared areas shall be replanted within the first applicable planting season.
3. All vegetation that is intended to be retained but may likely be disturbed by the clearing and grading activity shall be protected in accordance with the standards of BIMC Chapter 18.15.010, Landscaping, Screening, and Tree Retention, Protection and Replacement.
4. Land alteration (clearing, grading, and filling) shall be limited to the minimum extent necessary for the proposed development, use or activity. All land alteration must meet the standards of BIMC Chapter 15.20 Surface and Storm Water Management.

4.1.5 Critical Areas

4.1.5.1 Applicability

~~This section provides policies and regulations that apply to critical areas including critical saltwater and freshwater habitats as defined by WAC 173-26-221(2)(c)(iii) and (iv), including those portions of streams and wetlands, and flood plains or other flood prone areas within the shoreline jurisdiction. These policies and regulations apply in addition to the critical areas protection standards for fish and wildlife habitat conservation areas found in Appendix B. All shoreline uses and activities, including development which does not require a shoreline permit, must conform to these provisions. Shoreline development and activities associated with critical areas will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.~~

This section applies to all development, uses and activities within areas or adjacent to areas designated as critical areas. No action shall be taken by any person, company, agency, governmental body (including the city), or applicant, which results in any alteration of a critical area except as consistent with the goals, policies, purposes, intent, requirements, and development standards of this section.

4.1.5.2 Goal

Comprehensively manage shoreline uses and activities to protect, enhance, and restore existing ecological functions and ecosystem-wide processes of critical areas by utilizing the most current,

accurate, and complete scientific and technical information. By avoiding and limiting adverse impacts to and alteration of critical areas, this section seeks to protect the Island's special character and accomplish the following goals:

1. To conserve the biodiversity of plant and animal species, protect, maintain and restore healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including, but not limited to, ground and surface waters, wetlands, fish and wildlife and their habitats;
2. Direct development, uses and activities to less environmentally sensitive sites and mitigate unavoidable impacts to critical areas by regulating alterations in and adjacent to critical areas;
3. Prevent cumulative adverse environmental impacts to water quality, water quantity, wetlands, and fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, aquifer recharge, and habitat conservation areas;
4. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, or flooding; and
5. Alert owners, potential purchasers, real estate agents, appraisers, lenders, builders, developers and other members of the public to natural conditions that pose a hazard or otherwise limit development.

4.1.5.3 Purpose and intent

1. The purpose of this section is to designate and classify ecologically sensitive and hazardous areas as critical areas and to protect, maintain and restore these areas and achieve no net loss of their functions and values and allow for reasonable use of public and private property.
2. This section is intended to implement the goals, policies, guidelines, and requirements of the city comprehensive plan and the Growth Management Act (Chapter 36.70A RCW).
3. Critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city and its residents. Critical areas may also pose a threat to human safety or to public and private property. The beneficial functions and values provided by critical areas include, but are not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation of flood waters, ground water recharge and discharge, erosion control, wave attenuation, and

protection from hazards and the impacts of climate change. Groundwater recharge is of particular concern for the city because the Island's drinking water is supplied solely by groundwater.

4. This section is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this section to make a parcel of property unusable by denying its owner reasonable use of the property or to prevent the provision of public facilities and services necessary to support existing development.

4.1.5.4 Protection of Critical Areas

1. All proposed development, uses and activities subject to this section shall utilize mitigation sequencing pursuant to Section 4.1.2.6.
2. The precautionary principle shall be applied in the review of any action, taken or proposed, that does not conform to the requirements of this section. The burden of proof that the action will cause no net loss or harm to persons or property falls on the applicant or the property owner.

4.1.5.35 Policies

1. Provide a level of protection to critical areas that protects, maintains and restores these areas, achieves no net loss of their functions and values and allows for reasonable use of public and private property assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources.
- ~~1.—Protect shoreline resource areas, including but not limited to critical areas, including:
 - a.—Critical Aquifer Recharge Areas
 - b.—Fish and Wildlife Habitat Conservation Areas
 - c.—Frequently Flooded Areas
 - d.—Geologically Hazardous Areas
 - e.—Wetlands
 - f.—Critical Saltwater and Freshwater Habitat Areas
 - g.—Critical Habitat~~
2. Encourage development proposals to include elements of preservation, conservation, restoration, or enhancement of critical areas, including saltwater habitat and fish and wildlife conservation areas, through incentives and ecosystem-wide restoration planning.
- ~~3.—Locate, design, construction, and manage all shoreline uses and activities in ways that assure no net loss of shoreline ecological functions and ecosystem-wide processes, and protect critical saltwater habitat, including fish and wildlife habitat conservation areas.~~

- ~~34.~~ Locate and design shoreline uses, activities, and/or development to avoid risks to people and property. See also Section 3.0, Shoreline Designation Policies and Regulations, for additional provisions.
- ~~5.~~ ~~Ensure that proposed shoreline uses, activities and/or development proposed adjacent to critical areas or their buffers, will not adversely impact shoreline ecological functions and/or ecosystem-wide process or critical areas, fish and wildlife habitat conservation areas and critical saltwater habitat.~~
- ~~46.~~ Promote ~~and manage water-related~~ shoreline uses and activities, such as public access and recreation, that are compatible with critical areas, provided they do not ~~result in a net loss of critical area functions and values.~~adversely impact ecological function.
- ~~7.~~ ~~Monitor critical areas, including critical saltwater habitats, and fish and wildlife habitat conservation areas, to assure that these areas are not being adversely impacted by approved development or restoration projects.~~

4.1.5.46 Allowed Activities within Critical Areas

1. The following activities are allowed within critical areas and do not require review for compliance with critical area regulations. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8, Definitions, is subject to applicable review under this Program.
 - a. Normal and routine yard and garden activities including, but not limited to, cutting and mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden plants and crops, incidental vegetable gardening, and pruning and planting of noninvasive ornamental vegetation, intended to maintain the general condition and extent of such areas; provided, that such activities are limited to legally existing yard and garden areas, do not further expand into critical areas or associated buffers, do not significantly alter topography, and do not diminish water quality or quantity. Normal and routine activities cannot result in a change to the location, size at the ground level or configuration of existing yard and garden areas.
 - b. Class I, II and III forest practices regulated pursuant to Chapter 76.09 RCW.
 - c. Minor site investigative work. Work necessary for land use review submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require a clearing permit pursuant to Section 4.1.3 or construction of new roads. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored. Minor site investigative work may include educational and scientific research activities.
 - d. Activities within the improved right-of-way. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances.

- when such facilities are located within the improved portion of the public right-of-way or easement of a private street, except those activities that alter a wetland or watercourse, such as culverts or bridges, or result in the transport of sediment or increased stormwater.
- e. The installation of low impact fencing within critical area buffers provided the location does not result in restricting wildlife movement, the location and installation is the least impactful to the critical area and buffer as possible, and there is no alternative to fencing to achieve the purpose of the fence.
 - f. Signs for marking critical area boundaries, interpretive signs and survey markers or property boundaries.
 - g. Development, uses or activities within critical aquifer recharge areas that do not have the potential to generate a pollutant identified as a potential source of drinking water contamination pursuant to Section 4.1.9 and are outside an Aquifer Recharge Protection Area (ARPA) if one has been designated pursuant to BIMC 16.20.100 and any other critical area or its buffer or setback.
2. The following activities are allowed within critical areas only after review and authorization by the city. Review and authorization may occur over-the-counter and will require a written letter of approval. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8, Definitions, is subject to applicable review under this Program.
- a. Activities within a portion of a wetland buffer or fish and wildlife habitat conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase. The director shall review the proposal to determine the likelihood of associated impacts and may require the applicant to provide a critical areas report prepared by a qualified professional that demonstrates through a site assessment or functional analysis that the interrupted buffer area is functionally isolated from the critical area. The director shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the physical separation.

4.1.5.47 Regulations – General

- ~~1. Development, uses, and activities proposed within shorelines of the state shall meet the requirements of the City's shoreline-specific Critical Areas Regulations as contained in Appendix B, in addition to the requirements found elsewhere in the Master Program.~~

- ~~2.— Development, uses, and activities adjacent to critical areas, including critical saltwater habitats and fish and wildlife habitat conservation areas, proposed within shorelines of the state shall be monitored to assure that these areas are not being adversely impacted by approved development or restoration projects, consistent with Section 4.1.2 monitoring and mitigation requirements and the monitoring and mitigation requirements in Appendix B.~~
- ~~3.— Special Reports. For development proposed on property with marine bluffs, steep slopes, erosion hazard areas and/or landslide hazard areas, a geotechnical report shall be required to assess potential hazards and propose measures to mitigate such hazards consistent with the requirements of this Master Program and attached appendices.~~
1. Any proposed development or activity within a critical area or its buffer or setback requiring review under this Program shall be reviewed based on the proposal's ability to comply with all of the following criteria:
 - a. The proposal minimizes the impact on critical areas in accordance with mitigation sequencing (SMP 4.1.2.6);
 - b. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
 - c. The proposal is consistent with the general purposes of this section and the public interest;
 - d. Any alterations permitted to the critical area are mitigated in accordance with mitigation requirements in SMP 4.1.2.6;
 - e. The proposal protects the critical area functions and values consistent with best available science and results in no net loss of critical area functions and values;
 - f. The proposal addresses cumulative impacts of the action; and
 - g. The proposal is consistent with other applicable regulations and standards.
2. The city may condition the proposed activity as necessary to mitigate impacts to critical areas and to conform to the standards required by this section.
3. Except as provided for by this section, any project that cannot adequately mitigate its impacts to critical areas in the sequencing order of preferences in SMP 4.1.2.6 shall be denied.
4. Support Information Requirements. Any application for proposed development or activity requiring review under this Program shall include the following:
 - a. A site plan drawn to scale identifying locations of critical areas and their buffers, location of proposed development, uses and activities, location and estimated quantity of earthwork and vegetation clearing and location and type of drainage features or infrastructure.
 - b. Any critical area report or study required by this section. Such reports or studies shall be prepared by qualified professionals in the area of concern as defined in Section 8.0.

Definitions, and in accordance with the requirements provided in Section 4.1.5.14 (Critical Areas Reports) as follows:

- i. Aquifer recharge study: Hydrogeologist;
 - ii. Geological hazard assessment: Engineering geologist; geotechnical engineer, provided that:
 - i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and
 - ii. Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.
 - a. Stream buffer enhancement plan: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;
 - b. Wetland buffer enhancement plan, wetland critical area report, wetland mitigation plan: Wetlands specialist.
 - c. Habitat Management Plans: Wildlife biologist and/or fisheries biologist.
 - d. The director is authorized to retain experts at the applicant's expense and request review from other jurisdictional agencies to assist in the review of application materials; and
3. Any additional information determined as relevant by the director.

5. Notice on Title

- a. The owner of any property with field-verified presence of critical area or buffer on which a development proposal is submitted shall file for record with the Kitsap County auditor a notice approved by the director in a form substantially as set forth in Subsection 2 of this Section. Such notice shall provide notice in the public record of the presence of a critical area and buffer, the application of this section to the property, and that limitations on actions in or affecting such areas may exist. The applicant shall submit proof that the notice has been filed for record before the city shall approve any development proposal for such site. The notice shall run with the land and failure to provide such notice to any purchaser prior to transferring any interest in the property shall be in violation of this section.
- b. Form of Notice.

Critical Areas
and/or
Critical Areas Buffer Notice

Legal Description: _____

Present owner: _____

NOTICE: This property contains critical areas or their buffers as defined by the City of Bainbridge Island Ordinance No. _____ . The property _____ was the subject of a development proposal for _____

(type of permit) application # _____ filed on _____ (date) ____ . Restrictions on use or alteration of the critical areas or their buffers may exist due to natural conditions of the property and resulting regulations. Review of such application has provided information on the location of critical areas or critical area buffers and restrictions on their use through setback areas. A copy of the plan showing such setback areas and other restrictions or required enhancements is attached hereto.

Signature of owner _____

STATE OF WASHINGTON)

COUNTY OF _____)

On this day personally appeared before me to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein stated.

Given under my hand and official seal this _____ day of _____, _____. NOTARY PUBLIC in and for the state of Washington, residing at _____.

4.1.5.58 Regulations – ~~Fish and Wildlife Habitat Conservation Areas and~~ Critical Saltwater Habitat

1. Water-dependent development and uses, including marinas, docks, piers, mooring areas, underwater parks, utility crossings, and shoreline modifications, shall not intrude into or be built over critical saltwater habitat unless:
 - a. The applicant can show that all of the following criteria can be met:
 - i. The use preferences of Section 4.1.1 shall be utilized for uses in Shorelines of State-wide Significance; and
 - ii. The need for such a structure is clearly demonstrated and an alternative alignment or location on the property that would avoid impacts to critical saltwater habitats is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose, as demonstrated through an alternatives analysis. The analysis should include in part, shoreline bathymetry, shoreline features at the site, and substrate composition;

- iii. It can be demonstrated that the project is consistent with the state's interest in resource protection and species recovery; and
 - iv. Impacts to critical saltwater habitat functions and processes are mitigated to result in equal or better ecological function; or
 - b. The proposal is for private, non-commercial, residential docks for single use, community, or joint-use, which may be authorized, provided that:
 - i. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible; and
 - ii. The project, including any required mitigation, will result in no net loss of ecological functions and processes associated with critical saltwater habitat.
 - c. New or expanded overwater structures shall be located the greater or most protective of:
 - i. A horizontal distance of 25 feet from the outside edge of the structure to native aquatic vegetation attached to or rooted in substrate;
 - ii. A horizontal distance equal to the maximum distance shade will be cast by the structure and vessel;
 - iii. A 4-foot vertical distance from eelgrass or relevant submerged aquatic vegetation;
 - iv. A distance the diameter of the turning circle, if the structure is to be utilized for motorized vessels. The turning circle is defined as 3.5 times the length of the longest vessel to use the structure.
 - v. Alternative measures that demonstrate no net loss of ecological functions.
 - d. For projects within WDFW documented Pacific herring spawning locations, in-water activities that would affect herring spawn should be restricted to WDFW's approved work window for Bainbridge Island (May 1 through January 14). For aquaculture projects, the City may consider alternative methods that are contained in federal and/or state aquaculture permits for reducing impacts to herring spawning habitat and other forage fish spawning habitat.
 - e. For projects other than commercial aquaculture within WDFW documented sand lance and surf smelt spawning locations, no activities should occur during spawning windows as identified by WDFW. For commercial aquaculture projects within WDFW documented sand lance and surf smelt spawning locations, no harvesting may occur during the surf smelt or sand lance spawning seasons until a spawning survey is conducted. If surf smelt or sand lance spawn are present in the growing area to be harvested or adjacent tidelands, then no harvest activities may occur until the eggs are hatched. Extreme caution should be taken to avoid impact and minimize disturbance of sand lance and surf smelt larvae that are present.
- 2. Aquatic herbicide treatments, mechanical removal of vegetation or aquatic pesticide treatments shall not be used on critical saltwater habitats, except for approved habitat restoration or enhancement measures that meet the provisions of Section 4.1.6, Water Quality and Stormwater Management.

3. Sand, gravel or other materials shall not be added or removed from critical saltwater habitat, unless approved as part of a restoration effort or beach nourishment program or as allowed in 1, above.
4. New outfalls (including stormwater and sewer outfalls) and discharge pipes shall not be located in critical saltwater habitats or areas where outfall or discharge will adversely affect critical saltwater habitat, unless the applicant can show that all of the following can be met:
 - a. There is no feasible alternative location for the outfall or pipe; and
 - b. The outfall or pipe is placed below the surface of the beach or bed of the water body; and
 - c. The discharge point(s) on the outfall or discharge pipe is located so the discharges, including nutrients and flow, do not adversely affect critical saltwater habitats; and
 - d. For public sewage outfalls:
 - i. The outfall discharges waterward of the intertidal zone.
 - ii. The disturbed area will be revegetated with native vegetation.
5. The use of existing outfalls shall be maximized to limit the need for additional outfalls, provided the existing outfall meets the standards of this section, or unless an alternatives analysis demonstrates the dispersal is less impacting to the shoreline environment.
- ~~6. For activities adjacent to fish and wildlife habitat conservation areas the maximum prescribed buffer shall apply. These buffers can be modified on a case by case basis through a habitat management plan, pursuant to Section B-4 contained in Appendix B. In order to determine the need or extent of a buffer, a critical area report shall be required for all development in or adjacent to a habitat conservation area.~~
 - ~~a. In addition to the requirements in Appendix B, the Habitat Management Plan shall:~~
 - ~~i. Describe actions that will be implemented to ensure that buffer areas provide ecological functions and processes equivalent to a dense native plant community to the extent possible given the area that is feasibly available; and~~
 - ~~ii. Demonstrate that no net loss of ecological functions and processes in critical saltwater habitat and other critical areas will occur, as specified in WAC 173-26-201(3)(d) and WAC 173-26-221(2)(c)(iii).~~
7. Until an inventory of critical saltwater habitat is completed, all over water and near-shore development shall conduct an inventory of site and adjacent beach sections to assess the presence of critical saltwater habitat and/or functions and processes. The inventory shall occur prior to construction and the methods and extent of the inventory shall be consistent with accepted research methodology. New studies shall be required only when existing information is out dated or does not exist.

~~4.1.5.6 Regulations – Frequently Flooded Areas~~

- ~~1. All new development and new uses within the jurisdiction of this Master Program shall comply with the provisions of Section B-11, Frequently Flooded Areas located in Appendix B of this Master Program.~~

4.1.5.9 Aquifer Recharge Areas

1. Applicability. Aquifer recharge areas are areas that have a critical recharging effect on groundwater used for potable water supplies and/or that demonstrate a high level of susceptibility or vulnerability to groundwater contamination from land use activities. In accordance with WAC 365-190-100, the entirety of Bainbridge Island is classified as an aquifer recharge area to preserve the volume of recharge available to the aquifer system and to protect groundwater from contamination.
2. Prohibited Activities and Uses. The following activities and uses are prohibited within critical aquifer recharge areas due to the probability or potential magnitude of their adverse effects on groundwater:
 - a. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;
 - b. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
 - c. Chemical wood preservation and/or treatment facilities;
 - d. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store (other than minor sources such as medicinal uses or industrial testing devices), process, or dispose of radioactive substances;
 - e. Hazardous liquid transmission pipelines;
 - f. Commercial mining and chemical washing of metals, hard rock, sand, and gravel;
 - g. Hydrocarbon extraction, reprocessing, refinement, and storage;
 - h. Electroplating/metal finishing;
 - i. Facilities that treat, store, process, or dispose of hazardous waste; and
 - j. Other Prohibited Uses or Activities.

- i. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and
- ii. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a stream.

3. Development standards – general

- a. No development, use or activity may exceed water quality standards or otherwise violate the anti-degradation requirements specified in WAC Chapter 173-200.

Note: ARPA deleted from public hearing draft (September 11, 2019)

4.1.5.10 Fish and Wildlife Habitat Conservation Areas

1. Fish and Wildlife Habitat Conservation Areas include:

- a. Streams. Within the city of Bainbridge Island, streams shall include those areas which meet the definitions in Section 8.0, Definitions. Streams shall be classified in accordance with the Washington Department of Natural Resources water typing system (WAC 222-16-030), which is hereby adopted in its entirety by reference and summarized as follows:
 - i. Type F: streams which contain fish habitat pursuant to Section 8.0 (Definitions);
 - ii. Type Np: perennial non-fish habitat streams; and
 - iii. Type Ns: seasonal non-fish habitat streams.
- b. Habitats recognized by federal or state agencies for federal- and/or state-listed endangered, threatened, sensitive and candidate/monitored species which presence is documented in maps or databases available to City of Bainbridge Island.
- c. Areas that contain habitats and species of local importance. Any person may nominate for designation a species or habitat of local importance. Nominations will be processed pursuant to definitions in Section 8.0, Definitions and nomination criteria developed by the director.
- d. Biodiversity areas and corridors as defined in the 2008 Washington Department of Fish and Wildlife Priority Habitat and Species List, or as amended.
- e. All areas within the city of Bainbridge Island meeting one or more of the preceding criteria in this Section, regardless of any formal identification or mapping, are hereby designated critical areas and are subject to the provisions of this section and shall be managed consistent with the best available science, such as the Washington

Department of Fish and Wildlife's most recent Management Recommendations for Priority Habitat and Species.

2. Mapping

The location and extent of all mapped critical areas shown on the city of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. Washington Department of Natural Resource (DNR) and Washington Department of Fish and Wildlife maps are not the only source of data. Any request to change the city's existing map shall be accompanied by a report from a qualified professional that includes a description of the critical area and a summary of how it meets the definitions in Section 8.0, Definitions. The inventory and cited resources are to be used as a guide for the city, project applicants, and/or property owners and may be continuously updated as new or altered critical areas are identified.

3. Development Standards – Streams

- a. All designated streams require a buffer pursuant to Table 4-4. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of stream resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan. No uses or activities shall be allowed within the buffer unless allowed by this Section. If the buffer has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.
- b. The required minimum buffers listed in Table 4-4 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide stream protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-4. Stream Buffers

<u>Stream Type</u>	<u>Buffer Width</u>
<u>F</u>	<u>200</u>
<u>Np</u>	<u>100</u>
<u>Ns (connected to F or Np)</u>	<u>75</u>
<u>Ns (not connected to F, Np)</u>	<u>50</u>

- c. Buffer distances shall be measured from the ordinary high water mark (OHWM) or from the top of each bank where the OHWM cannot be identified.
- d. The buffer width shall be increased to include streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flow, or provide shelter and food for fish. In braided channels, the ordinary high water mark or top of bank shall be defined to include the entire stream feature.
- e. Streams in Ravines - Buffers. For streams in ravines outside the Mixed Use Town Center with ravine sides 10 feet or greater in height, the buffer width shall be the greater of:
 - i. The buffer width required for the stream type; or
 - ii. A buffer width which extends 25 feet beyond the top of the ravine.
- f. Increased buffer provisions. The director may increase buffer widths, up to 50 percent greater than the applicable buffer set in this section for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site-specific and project-related conditions.
- g. Structure or hard surface setback. A structure or hard surface setback line of fifteen feet is required from the edge of any stream buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the stream buffer or adversely impact the stream. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 4.1.5.6 (Notice on Title).
- h. Buffer Modification. Modification to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.
 - i. Buffer Width Averaging. The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:
 - A. The total area of buffer after averaging is equal to the area required without averaging.
 - B. Averaging does not result in the any portion of the buffer being reduced more than 25 percent of its required width.

- ii. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer reduction shall include a buffer enhancement plan prepared by a qualified consultant that meets the requirements of Section 8.0, Definitions.
- iii. The city may request technical review of a buffer enhancement plan from other agencies to ensure consistency with state, federal or tribal management recommendations.
- iv. Any other buffer modification, other than non-compensatory enhancement, requires a shoreline variance.

9. Development Standards – Other Fish and Wildlife Habitat Conservation Areas

- a. All development, uses and activities within known fish and wildlife habitat conservation areas require submittal and approval of a Habitat Management Plan (HMP) as specified in Section 4.1.5.14, Critical area reports. The HMP shall consider measures to retain and protect the fish and wildlife habitat and shall consider the effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of existing native vegetation.
- b. In the case of bald eagles, the HMP shall comply with the federal Bald and Golden Eagle Protection Act (16 USC 668) to avoid impacting eagles and their habitat.

10. Standards for specific development, uses and activities. The following development, uses and activities may be allowed within fish and wildlife habitat conservation areas and their buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations. The director may require submittal of a Habitat Management Plan unless project impacts are demonstrated to be de minimis through mitigation sequencing pursuant to Section 4.1.2.6.

- a. Stream Crossings. Any private or public road or driveway expansion or construction proposed to cross streams classified within this section shall comply with the following minimum development standards. All other state and local regulations regarding water crossing structures shall apply, and the use of the *Water Crossing Design Guidelines* (WDFW, 2013), or as amended, is encouraged.
- i. Bridges or bottomless culverts shall be required for all Type F streams. Other alternatives may be allowed upon (i) submittal of a Habitat Management Plan which demonstrates that other alternatives would not result in significant impacts to the fish and wildlife conservation area and (ii) as determined through the Hydraulic Project Approval (HPA) process administered by the Washington Department of Fish and Wildlife. The plan must demonstrate that fish habitat will not be reduced in area or function.

- ii. Crossings shall not occur in fish-bearing streams unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with Washington Department of Fish and Wildlife;
 - iii. Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists;
 - iv. Crossings shall not diminish flood carrying capacity;
 - v. Crossings shall serve multiple properties whenever possible;
 - vi. Where there is no reasonable alternative to providing a conventional culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.
- b. Stream Relocations. Stream relocations may be allowed only for the purpose of flood protection and/or fisheries restoration and only when consistent with a Washington Department of Fish and Wildlife Hydraulic Project Approval (HPA) process and the following minimum performance standards:
- vii. The channel, bank, and buffer areas are replanted with native or equivalent vegetation that replicates a natural, undisturbed riparian condition;
 - viii. For those waters designated as Frequently Flooded Areas pursuant to BIMC 15.16, a professional engineer licensed in the State of Washington provides information demonstrating that the equivalent base flood storage volume and function will be maintained; and
 - ix. Relocated stream channels are designed to meet or exceed the functions and values of the stream to be relocated.
- c. Pesticides, Fertilizers and Herbicides. No pesticides, herbicides or fertilizers may be used in fish and wildlife conservation area or their buffers, except those approved by the U.S. Environmental Protection Agency (EPA) and approved under a Washington Department of Ecology Water Quality Modification Permit for use in fish and wildlife conservation area environments and applied by a licensed applicator in accordance with the safe application practices on the label.
- d. Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes Fish and Wildlife Habitat Conservation Areas shall comply with the following procedures and development standards:
- i. The open water area of lakes, streams, and tidal lands shall not be permitted for use in calculating minimum lot area.
 - ii. Land division approvals shall be conditioned so that all required buffers are designated as an easement or covenant encumbering the buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan.

- iii. In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this section, including buffer requirements for fish and wildlife habitat conservation areas. Each lot must also have access and a sewage disposal system location that are suitable for development that do not adversely impact the fish and wildlife conservation area.
 - iv. After preliminary approval and prior to final land division approval, the director may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when such methods are determined by the director to provide adequate protection to the aquatic buffer.
- e. Utilities. Placement of utilities within designated fish and wildlife conservation area may be allowed pursuant to the following standards:
- i. Construction of utilities may be permitted in fish and wildlife conservation area or their buffers, only when no practicable or reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below.
 - ii. Sewer or on-site Sewage Utility. Construction of sewer lines or on-site sewage systems may be permitted in fish and wildlife conservation area or their buffers when the applicant demonstrates it is necessary to meet state and/or local health code requirements; there are no other practicable alternatives available; and construction meets the requirement of this Section. Joint use of the sewer utility may be allowed.
 - iii. New utilities shall not be allowed in fish and wildlife conservation area with known locations of federal or state listed endangered, threatened or sensitive species, heron rookeries or nesting sites of raptors which are listed as state candidates except in those circumstances where an approved Habitat Management Plan indicates that the utility will not significantly impact the conservation area;
 - iv. New Utility Construction. Utility construction and maintenance shall protect the environment of fish and wildlife conservation area and their buffers.
 - A. New utilities shall be aligned whenever possible to avoid cutting or root damage to trees greater than 12 inches in diameter at breast height (four and one-half feet) measured on the uphill side.
 - B. Any area of disturbance shall be revegetated with appropriate native or equivalent vegetation at not less than pre-construction vegetation densities or greater, immediately upon completion of construction or as soon thereafter as possible due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.
 - C. Any additional access for maintenance shall be provided wherever possible at specific points rather than by parallel roads. If parallel roads are

necessary, they shall be of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the conservation area.

- v. Utility maintenance shall include the following measures to protect the environment of regulated fish and wildlife habitat conservation areas.

- A. Utility towers shall not be sandblasted or spray-painted. Lead-based paint is prohibited.
- B. Pesticides, fertilizers and herbicides: No pesticides or fertilizers may be used in fish and wildlife habitat conservation areas or their buffers, except those applied by a licensed applicator in accordance with the safe application practices on the label.

f. Bank Stabilization.

- i. A stream channel and bank may be stabilized when naturally occurring earth movement threatens existing structures (defined as requiring a building permit pursuant to the applicable building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of fish and wildlife habitat, flood control, and improved water quality.
 - ii. Where bank stabilization is determined to be necessary, bioengineering or other non-structural methods should be the first option for protection. Structural methods, or hard stabilization, may only be utilized where it can be demonstrated by a professional engineer licensed in the State of Washington that an existing primary residential structure or essential public facility cannot be safely maintained without such measures, and that the resulting hard stabilization is the minimum length necessary to provide a stable building area for the structure. The director may require that bank stabilization be designed by a professional engineer licensed in the State of Washington with demonstrated expertise in hydraulic actions of shorelines. Bank stabilization projects may also require a City of Bainbridge Island clearing or grading permit and Hydraulic Project Approval from the Washington Department of Fish and Wildlife.
 - iii. Nonstructural streambank protective techniques are preferred to bulkheads or other types of streambank armoring. Nonstructural techniques include but are not limited to vegetation plantings and bioengineering.
- g. Fencing and Signs. Prior to approval or issuance of permits for land divisions or other new development, the director may require that the common boundary between a required buffer and the adjacent lands be identified using fencing or permanent signs. In lieu of fencing or signs, alternative methods of buffer identification may be approved when such methods are determined by the director to provide adequate protection to for the buffer.

- h. Forest Practice, Class IV General and Conversion Option Harvest Plans (COHPs). All timber harvesting and associated development activity, such as construction of roads, shall comply with the provisions of this chapter, and the Stormwater Management standards in Chapters 15.20 and 15.21 BIMC, including the maintenance of buffers, where required.
- i. Road/Street Repair and Construction. Any private or public road or street expansion or construction which may be allowed in a Fish and Wildlife Habitat Conservation Area or its buffer shall comply with the following minimum development standards:
 - i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;
 - ii. Expansion or construction of any private or public road shall only be allowed when adverse impacts can be avoided;
 - iii. Public and private roads should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and
 - iv. The road or street construction is the minimum necessary, as required by the Department of Public Works, and shall comply with the Department of Public Works' guidelines to provide public safety and mitigated stormwater impacts.
 - v. Construction time limits shall be determined in consultation with Washington Department of Fish and Wildlife in order to ensure habitat protection.

4.1.5.711 Regulations – Geologically Hazardous Areas

- ~~1. All new development and new uses within the jurisdiction of this Master Program shall comply with regulations for Geologically Hazardous Areas as set forth in the shoreline-specific Critical Areas Regulations contained in Section B-9 of Appendix B of this Master Program.~~
- ~~2. Additional standards for marine bluffs (i.e., slopes greater than 40 percent that exceed a vertical height of 10 feet within the marine shorelines jurisdiction) are provided in section 4.1.5.8, Special Reports and Determination of Buffers, and 4.1.5.9, Regulations—Bluff Drainage, below.~~
- 1. Applicability. This section applies to all geologically hazardous areas classified pursuant to SMP 4.1.5.10.2.
- 2. Classification.
 - a. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas (including fault and liquefaction hazard areas). Zone of influence areas are not considered geologically hazardous areas.
 - b. Geologically hazardous areas shall be classified based upon landslide history and the presence of unstable soils, steepness of slopes, erosion potential, and seismic hazards. Areas in this category are a potential threat to public health, safety, and welfare when construction is allowed. While some potential risk due to construction can be reduced through engineering design, construction in these areas should be avoided when the

potential risk cannot be reduced to a level comparable to the risk if the site were initially stable prior to construction. Classification and rating shall be based upon the risk to the environment and to development in geologically hazardous areas.

3. Review procedures. Applications for proposed activities in geologically hazardous areas shall include:

- a. Indemnification. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas, except erosion hazard areas and landslide hazard area setbacks. The form of the agreement shall be approved by the city and executed prior to the commencement of construction or any land disturbing activity.
- b. Notice. A notice of intent to construct on a landslide hazard area or reduce the standard setback in a landslide hazard area shall be given pursuant to BIMC 2.16.020.H.2. The notice of intent shall be issued within 14 days of a complete application pursuant to BIMC 2.16.020.K. The notice shall include a 21-day comment period and no permits or approval of reduced setbacks shall be issued before the end of the comment period.
- c. Geological Hazards Assessment. A geological hazards assessment is required for all projects in geologically hazardous areas and landslide hazard area setbacks in accordance with Section 4.1.5.14, Critical area reports. To protect public health, safety and welfare, the director may require third party review of any geological hazards assessment or geotechnical report in cases where there may be potential for substantial damage to life, property or the environment should the proposed engineering solution fail. When a third-party review is required, costs incurred for a qualified third party geologist or geotechnical engineer to perform the review shall be borne by the applicant.

4. Regulations – Development Standards – General. The following development standards apply to all activities within any geologically hazardous area or associated landslide hazard area setback:

- a. The proposed activity shall not create a net increase in geological instability, either on- or off-site, which is defined as follows:
 - i. The subject parcel shall not be less stable after the planned development than before; and
 - ii. The adjacent parcels shall not have greater risk or be less stable after the planned development than before.
- b. The proposed activity shall not increase the risk of life safety due to geological hazards above professionally acceptable levels.

- c. The proposed activity shall not increase the risk due to geological hazards above professionally acceptable levels for:
 - i. Property loss of any habitable structures or their necessary supporting infrastructure on-site or;
 - ii. Risk to any off-site structures or property of any kind; and
 - d. Proposed buildings shall be constructed using appropriate engineering methods that respond to the geologic characteristics specific to the site in order to achieve a high standard of safety and meet professional practice standards and codes.
 - e. The proposed activity shall not further degrade the values and functions of the associated critical areas.
 - f. Unless allowed pursuant to Section 4.1.2 or Section 4.1.3 or as part of an approved building permit, removal of vegetation from an erosion or landslide hazard area or setback is prohibited.
5. Development Standards -- Landslide Hazard Areas. The following requirements shall apply to any land disturbing activity or construction within a landslide hazard area or its setback as described herein:
- a. Prohibited activities. Development of habitable structures and critical facilities is prohibited in landslide hazard areas and landslide hazard area setbacks.
 - b. Allowed activities. The following minor development may be allowed in landslide hazard areas on slopes forty (40) percent or greater and landslide hazard area setbacks if the development standards of this Section are met:
 - i. Surface water management, including outfalls
 - ii. Septic facilities, including drainfields
 - iii. Trails and stairs
 - iv. Cable lifts and trams
 - v. Public or private utilities or streets
 - vi. Seismic or other safety upgrades to protect existing habitable structures
 - vii. Other non-habitable structures
 - c. Any land disturbing activity or construction within a landslide hazard area or its setback shall meet the following requirements:
 - i. All development proposals shall be designed to avoid impacts to geologically hazardous areas. The development shall be designed to minimize the footprint of building in other disturbed areas, minimize removal of vegetation, minimize topographic change, and retain open space to the maximum extent practicable;

- ii. Development design shall utilize clustering, under-structure parking, multi-level construction, and tiered foundations to the extent feasible to minimize impervious lot coverage, slope disturbance, and changes to the natural topography;
 - iii. Access shall be in the least sensitive part of the site, and common access drives and utility corridors are required to the extent feasible;
 - iv. Roads, walkways and parking areas shall be designed to parallel the natural contours to the extent feasible;
 - v. Cut and fill slopes shall be prepared and maintained to control against erosion and instability; and
 - vi. Drainage and stormwater designs in zones of influence shall incorporate elements of low impact design, add examples to the extent feasible, and shall be designed in such a manner that stormwater outlet discharges do not create additional impacts.
- d. Factors of safety. Factors of safety in accordance with Table 4-5 are required. Analysis of dynamic conditions shall be based on the minimum horizontal acceleration for the probabilistic maximum considered earthquake as established by the currently adopted version of the International Building Code.

Table 4-5. Factors of safety and standard setbacks

<u>Structure, use or activity</u>	<u>Static factor of safety</u>	<u>Dynamic (seismic) factor of safety</u>	<u>Standard setback</u>
<u>Habitable structure</u>	<u>1.5</u>	<u>1.0</u>	<u>Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope</u>
<u>High-risk non-habitable structure</u>	<u>1.3</u>	<u>As determined by geological hazards assessment.</u>	<u>Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope</u>
<u>Lower-risk non-habitable structures</u>	<u>As determined by geological</u>	<u>As determined by geological hazards assessment.</u>	<u>Height of slope up to 75 feet.</u>

	<u>hazards assessment.</u>		
<u>Other structure or use</u>	<u>As determined by geological hazards assessment.</u>	<u>As determined by geological hazards assessment.</u>	<u>Height of slope up to 75 feet.</u>
<u>Tree and vegetation activities in accordance with Section 4.1.3</u>	<u>n/a</u>	<u>n/a</u>	<u>25 feet only from top of slope.</u>

- e. Setback requirement. Setbacks from landslide hazard areas are required. A setback shall be established from all edges of a landslide hazard area as follows:
- i. A standard setback in accordance with Table 4-5; or
 - ii. A setback established by the findings of a geological hazards assessment prepared by a licensed geologist or geotechnical engineer that protects and minimizes the risk of property damage, death or injury resulting from a potential landslide impact. The geological hazards assessment shall require a third-party independent review by a qualified geologist or geotechnical engineer at the cost to the applicant;
 - iii. A setback less than 20 feet is prohibited for habitable structures;
 - iv. The setback for tree and vegetation activities in accordance with Section 4.1.3 is 25 feet only from the top of slope.
 - v. No setback is required for slopes forty (40) percent or greater with a vertical elevation change of up to twenty (20) feet, if compliance with development standards in Section 4.1.5.10.4 and 5 is documented by a geotechnical engineer licensed in the State of Washington;
 - vi. The setback may be increased beyond that specified in subsection (a) above if the director determines a larger setback is necessary to prevent risk of damage to proposed adjacent development and the associated critical areas.
- f. For the purposes of establishing the factors of safety and setback using Table 4-5, the following categories shall apply:
- i. Habitable structure: residences, accessory dwelling units, garages;
 - ii. High-risk non-habitable structure: decks, patios, pool/hot tub, driveways, trams, cable lifts, carports;
 - iii. Lower-risk habitable structure: storage shed, boathouse, stairs, pathways, structures intended for short-term use;

- iv. Other structures or uses: septic facilities including drainfields, drainage outfalls, bulkheads, landscape walls, other utilities; and
 - v. If a proposed structure, use or activity is not included in Section 4.1.5.10.5.f, the category shall be determined by the City Engineer.
- g. Zone of influence. A zone of influence shall be established 300 feet upslope from slopes greater than 40 percent and 200 feet upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas to assess changes in land use and hydrology that may affect the stability of the geologically hazardous area.
- i. The applicant shall have the stormwater pollution prevention plan (erosion control plan) for the project reviewed by a geotechnical engineer to determine if there are any potentially adverse impacts to the landslide hazardous area. The report shall contain recommendations to avoid adverse impacts to the geologically hazardous area. Concentrated discharge of stormwater shall only be allowed where specifically recommended in the report and authorized by the City Engineer.
 - ii. If the geotechnical engineer or the City Engineer determines that there are potential adverse impacts, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer which analyzes the potential impacts to the geological hazard from the proposed development in the zone of influence and meets the standards of this section.
- h. Field marking requirements. Proposed clearing and work limit lines and landslide hazard setbacks shall be marked in the field for inspection and approval by the city prior to start of any land disturbing activity. Field marking shall remain in place until construction is completed and final inspection is completed by the city.

~~4.1.5.8 — Special Reports and Determination of Buffers~~

- ~~1. Applicants proposing development adjacent to a marine bluff shall submit a geotechnical engineering report prepared in accordance with the requirements of this Master Program and the shoreline-specific Critical Areas regulations contained in Appendix B. In terms of this regulation, “adjacent” means development proposed either within 50 feet from the crest of a marine bluff or within a distance equal to the height of the slope from the crest (measured from the top), whichever is greater.~~
- ~~2. The geotechnical engineering report shall be prepared by a Washington State licensed professional civil engineer with a specialty in geotechnical engineering or an engineering geologist with a Washington State specialty license in engineering geology as specified in RCW 18.220, Geologists. The report shall be based upon the most appropriate and current~~

science, existing and proposed uses, risks of slope failure, and coastal erosion rates over at least 100 years, if applicable.

3. ~~All proposed development on the face of a marine bluff or in the required buffer area shall be prohibited, except:~~
 - a. ~~Development may be allowed as specified in Appendix B; Subsection B-9(E)(3)(a)(i)(F) of this Master Program;~~
 - b. ~~Minor development for public access (e.g., public trails, stairs, or view points) may be allowed, provided that environmental impacts are mitigated and the development can meet the factor of safety in Appendix B; subsection B-9(E)(1); and~~
 - c. ~~Minor development permitted in the Shoreline Buffer and Site-specific Vegetation Management Area pursuant to Sections 4.1.3.8 through 4.1.3.11 such as boathouses, decks, stairs, ramps, piers, and docks except at the toe of unstabilized feeder bluffs and the development can meet the factor of safety in Appendix B; subsection B-9(E)(1).~~
4. ~~All alterations to the vegetation within a geological hazardous area shall provide a Bluff Management Plan developed by qualified professional(s) to address vegetation management for slope stability and ecological functions and processes for a ten-year period. The plan at a minimum shall include:~~
 - a. ~~A geotechnical analysis of slope stability as defined in B-9, Geologically Hazardous Areas of Appendix B.~~
 - b. ~~A site plan showing existing vegetation location and species.~~
 - c. ~~An analysis of identified vegetation appropriate for removal or alteration.~~
 - d. ~~An analysis of vegetation management strategies for slope stability.~~
 - e. ~~A mitigation plan developed according to Section 4.1.2, Environmental Impacts and Section 4.1.3, Vegetation Management.~~
 - f. ~~The Administrator may include additional conditions for a site-specific analysis and require a third-party review by a qualified professional at the cost of the applicant.~~

4.1.5.912 Regulations – Bluff Drainage

1. Surface drainage shall be directed away from landslide hazard areas ~~marine bluffs~~. When no other solution is feasible, surface drainage piping may be located on the face of a steep slope when contained in a tight line (closed, non-leaking pipe) and in such a way that erosion will not be increase at the base of the bluff and provided that physical access along the shoreline is not degraded. Furthermore, conditions may be applied to mitigate the aesthetic impacts of the proposed drainage systems as viewed from public areas.

4.1.5.1013

Regulations – Wetlands

1. Applicability. This section applies to:

- a. All wetlands designated pursuant to Section 4.1.5.12.2.
- b. All wetland buffers as shown in the tables in Section 4.1.5.12.8.

2. Identification and designation.

- a. Identification of wetlands and delineation of their boundaries pursuant to this section shall be done in accordance with the federal wetland delineation manual and applicable regional supplements (as updated), as required by WAC 173-22-035. All areas within the city meeting the wetland designation criteria, regardless of any formal delineation, are hereby designated as wetlands and are subject to provisions of this section unless not included in the definition of wetland provided in Section 8.0, Definitions.
- b. Wetland delineations shall be conducted by a qualified professional, in accordance with Section 4.1.5.6.4.
- c. The wetland boundary shall be marked in the field and surveyed by a licensed surveyor. The surveyed wetlands shall be sized and mapped on a scaled site plan. The director may require the wetland delineation to be verified in the field by the Army Corps of Engineers or the Washington State Department of Ecology when there is uncertainty in the wetland boundary or there was unauthorized wetland disturbance. The requirement for a licensed surveyor to survey the wetland boundaries may be waived in limited circumstances, such as when there is no access to the wetland property or there is no proposed impact to the wetland and wetland buffer, with authorization from the director.
- d. Wetland delineations shall be valid for five years from the date of the delineation.
- e. A wetland delineation shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated wetland is on a different site than the proposed development, the location of the wetland boundary may be determined using best professional judgement.

3. Wetland Categories. Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington – 2014 Update (Ecology Publication No. 14-06-029, October 2014), as revised. The wetland categories determined by the rating are as follows:

- a. Category I wetlands are:
 - i. Relatively undisturbed estuarine wetlands larger than one acre;
 - ii. Wetlands that are, or may be in the future, identified by scientists of the Washington Natural Heritage Program/Department of Natural Resources as wetlands of high conservation value;
 - iii. Bogs;
 - iv. Mature forested wetlands larger than one acre;
 - v. Wetlands in coastal lagoons; and
 - vi. Wetlands that perform many functions well and score 23 points or more in the wetland rating. These wetlands are those that represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, or are relatively undisturbed and contain ecological attributes that are impossible to replace within one human lifetime.
- b. Category II wetlands are:
 - i. Wetlands with a moderately high level of functions and score 20 to 22 points in the wetland rating.
 - ii. Estuarine wetlands smaller than one acre or disturbed estuarine wetlands larger than one acre.
- c. Category III wetlands are:
 - i. Wetlands with a moderate level of functions and score between 16 to 19 points in the wetland rating.
- d. Category IV wetlands are:
 - i. Wetlands with a low level of functions, scoring less than 16 points in the wetland rating.
- e. Date of Wetland Rating. The wetland rating categories in this Section shall be applied to wetland studies including but not limited to delineations, on or after the date of adoption of the ordinance codified in this section. The wetland rating shall be valid for five years unless the state rating system changes or the wetland and/or the wetland buffer have been altered since the rating.
- f. A wetland rating pursuant to Section 4.1.5.12.3 shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated wetland is on a different site than the proposed development, the rating may be determined using best professional judgement.

- g. Illegal modifications. Wetland rating categories shall not change due to illegal modifications.

4.

Mapping

The location and extent of all mapped critical areas shown on the City of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. In addition, the National Wetlands Inventory and Soil Maps produced by the U.S. Department of Agriculture, National Resources Conservation Service may be useful in helping to identify potential wetland areas. The inventory and cited resources are to be used as a guide for the city, project applicants, and property owners, and may be continuously updated as new or altered critical areas are identified.

5.

Protection of Wetlands

- a. Any action taken pursuant to this section shall result in equivalent or greater functions and values of the wetlands and wetland buffers associated with the proposed action, as determined by the best available science. All actions and developments shall be designed and constructed in accordance with mitigation sequencing as described in Section 4.1.6 and WAC 197-11-768.
- b. Applicants must first demonstrate an inability to avoid or reduce impacts, before compensation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas.
- c. Permanent protection of critical areas that are part of an approved mitigation plan or buffer enhancement plan shall be achieved through a Notice to Title recorded at the Kitsap County Auditor's Office, or similar means of protection in perpetuity.

6.

Prohibited activities

- a. The following development, uses and activities are prohibited in all wetlands:

- i. Draining, excavation, placement of fill material and flooding not associated with an exempt or regulated use
 - ii. Forest Practices – Class IV General or Conversion Option Harvest Plan
 - iii. New or expanded agriculture
 - iv. On-site sewage facility
- b. The following development, uses and activities are prohibited in Category I and II wetlands:
- i. Fish hatchery
 - ii. Golf course
 - iii. Mineral extraction
 - iv. Public facility
 - v. Public communications tower
 - vi. New public road/street
 - vii. New private access road or driveway
 - viii. Stormwater retention/detention facility
 - ix. Primary utility

7. Standards for specific development, uses and activities. The following development, uses and activities may be allowed within wetlands and their required buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations.

- a. Road/street repair and construction: Any private or public road or street repair, maintenance, expansion or construction may be allowed within a wetland or its required buffer only when all of the following conditions are met:
- i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;
 - ii. Publicly owned or maintained road or street crossings should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and
 - iii. The road or street repair and construction are the minimum necessary to provide safe roads and streets.
 - iv. Mitigation shall be performed in accordance with specific project mitigation plan requirements.
- b. Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes regulated wetlands shall comply with the procedures and standards listed below. When a parcel contains a wetland, city policy shall always be to primarily protect the functions and values of the wetland, while recognizing the value of the development rights provided to the property by its zoning.

- i. Density Calculation
 - A. The actual density that will allowed to be built upon a parcel containing a wetland shall ultimately be determined during the site specific review of the parcel's planned development.
 - B. In determining the actual density of a parcel based on a specific site plan, the site plan shall locate all buildings outside of any wetland and its required buffers;
 - C. The number of development rights allowed for any residentially-zoned parcel shall be its size in square feet divided by the number of square feet per home that is required by its zoning;
 - D. If the land can be subdivided such that all setbacks, buffers, and other zoning requirements can be observed, and no zoning variances are requested, the density from the wetland, except the area with permanent open water, can be transferred within the property;
 - E. To the extent that the number of allowable development rights cannot be used on-site, they may be sold, traded, or transferred by the property owner through the transfer of development rights program pursuant to Chapter 18.37 BIMC;
 - F. Property owners may voluntarily extinguish development rights that are provided by the underlying zoning, but the city shall not extinguish any of these rights outside the aforementioned transactions.
- ii. Land division approvals shall be conditioned to require that wetlands and wetland buffers be designated as an easement or covenant encumbering the wetland and wetland buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat or binding site plan, and title.
- iii. In order to implement the goals and policies of this section, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.
- c. Surface Water Management. Surface water structures or discharges from stormwater facilities may be allowed within wetlands and their required buffers only when the applicant has an approved Site Assessment Review (SAR) pursuant to the requirements of BIMC 15.20 and the proposal meets criteria in Appendix I-D, Guidelines for Wetlands when Managing Stormwater, from Washington State Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in 2014.
- d. Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, are allowed in wetlands or wetland buffers only when the following standards are met:

- i. Trails and related facilities shall be placed on existing road grades, utility corridors, or any other previously disturbed areas if present at the site and consistent with trail planning objectives.
 - ii. Trails and related facilities shall be planned to minimize removal of trees, soil disturbance, and maintain existing hydrological characteristics, shrubs, snags, and important wildlife habitat.
 - iii. Viewing platforms and benches, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland. Viewing platforms shall be limited to one hundred (100) square feet in size, unless demonstrated through a wetland critical areas report and mitigation plan that a larger structure will not result in a net loss of wetland functions.
 - iv. Trail planning shall utilize mitigation sequencing in Section 4.1.2.6.1 to first avoid siting trail and trail-related facilities within wetlands and their required buffers. Trails and trail-related facilities are allowed within wetlands or wetland buffers if there are no reasonable alternatives for meeting an applicant's trail planning objectives and it is demonstrated through a wetland critical areas report and mitigation plan that the proposal will not result in a net loss of wetland functions.
 - v. Trails shall be limited to non-motorized use. Trail width shall not exceed six feet unless there is a demonstrated need, subject to review and approval by the director. Trails shall be constructed with pervious materials unless otherwise approved by the director.
- e. Utilities. Installation of utilities within wetlands or their required buffers may be allowed when the following standards are met:
- i. Construction of new utilities outside the road right-of-way or an existing utility corridor may be permitted in wetlands or wetland buffers, only when no reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below, and as required in the filing and approval of applicable permits and special reports required by this section.
 - ii. Sewer or On-site Sewage Utility. Construction of sewer lines or on-site sewage systems may be permitted in wetland buffers only when:
 - A. The applicant demonstrates it is necessary to meet state and/or local health code minimum design standards (not requiring a variance for either horizontal setback or vertical separation); and/or
 - B. There are no other practicable or reasonable alternatives available and construction meets all other applicable requirements of this Section. Joint use of the sewer utility corridor by other utilities may be allowed.
 - iii. New utilities shall not be allowed when the wetland or buffer has known locations of federal or state listed endangered, threatened, monitored or sensitive species, heron rookeries or nesting sites of raptors which are listed as species of concern, except in

- those circumstances where an approved Habitat Management Plan indicates that the utility corridor will not significantly impact the wetland or wetland buffer;
- iv. New utility construction and maintenance shall protect the wetland and buffer environment by utilizing the following methods:
- A. New utilities shall be aligned to avoid tree removal to the greatest extent practicable.
 - B. Any area of disturbance resulting from installation of a utility shall be revegetated with appropriate native or equivalent vegetation at preconstruction densities or greater, immediately upon completion of construction, or as soon thereafter as possible, if due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.
 - C. Any access for maintenance shall be provided as much as possible at specific points, rather than by parallel roads. If parallel roads are necessary, they shall be of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the wetland. Mitigation will be required for any additional access through restoration of vegetation in disturbed areas.
 - D. The director may require additional mitigation measures.
 - E. Utility maintenance shall include the following measures to protect the wetland and buffer environment:
 - 1. Painting of utility equipment such as power towers shall not be sprayed or sandblasted. Lead-based paints are prohibited.
 - 2. No pesticides, herbicides or fertilizers may be used in wetland areas or their buffers except those approved by the U.S. Environmental Protection Agency (EPA) and Washington Department of Ecology and applied by a licensed applicator in accordance with the safe application practices on the label.
- f. Parks. Development of public park and recreation facilities may be allowed; provided, that no alteration of wetlands or wetland buffers is allowed except as allowed in Section 4.1.5.6 (Allowed Activities within Critical Areas) and Section 4.1.5.12.7 (Allowed Activities within Wetlands).

8.

Wetland Buffers

- a. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of wetland resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14. No uses or activities shall be allowed within the buffer unless allowed by this Section. If a buffer on a site subject to land use review or a

building permit application has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.

- b. All regulated wetlands shall be surrounded by a buffer, based upon Appendix 8-C, Section 8C.2.3 of Wetlands in Washington State – Volume 2: Guidance for Protecting and Managing Wetlands (Ecology Publication #05-06-008), as amended. Standard buffer widths are shown in Tables 1 through 4. If a wetland meets more than one of the criteria listed in each table, the buffer needed to protect the wetland is the widest one.
- c. Standard buffer widths are based on impact of land use, which is categorized as follows:
 - i. High impact land use includes commercial development, industrial development, institutional development, residential (all residential zoning classifications other than R-0.4, R-1 and R-2) development, new agriculture (high-intensity such as dairies, nurseries, greenhouses, raising and harvesting crops requiring annual tilling, raising and maintaining animals), forestry activities, and high-intensity recreation such as golf courses and ballfields.
 - ii. Moderate impact land use includes residential development (R-0.4, R-1 and R-2 residential zoning classifications), new agriculture (moderate-intensity such as orchard and hay fields), paved trails, and construction of temporary logging roads.
 - iii. Low impact land use includes low-intensity open space such as passive recreation, natural resources preservation, and unpaved trails.
- d. The required minimum buffers listed in Tables 4-6 through 4-9 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide wetland protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-6: Category I Wetlands - Buffers

<u>Wetland Characteristics</u>	<u>Impact of Land Use</u>	<u>Buffer Width</u>	<u>Other Protection</u>
<u>Natural Heritage Wetlands</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>125 ft</u> <u>190 ft</u> <u>250 ft</u>	<u>No additional discharge of surface water.</u> <u>No septic systems within 300 ft.</u> <u>Restore degraded parts of the buffer</u>
<u>Bogs</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>125 ft</u> <u>190 ft</u> <u>250 ft</u>	<u>No additional surface discharges.</u> <u>Restore degraded parts of the buffer.</u>
<u>Forested</u>	<u>Low</u> <u>Moderate</u>	<u>125 ft</u> <u>190 ft</u>	<u>If forested wetland scores high for habitat, maintain connectivity to other natural areas.</u>

<u>Wetland Characteristics</u>	<u>Impact of Land Use</u>	<u>Buffer Width</u>	<u>Other Protection</u>
	<u>High</u>	<u>250 ft</u>	
<u>Estuarine</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>100 ft</u> <u>150 ft</u> <u>200 ft</u>	<u>N/A</u>
<u>Wetlands in Coastal Lagoon</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>100 ft</u> <u>150 ft</u> <u>200 ft</u>	<u>N/A</u>
<u>High level of function for habitat (score for habitat is 8-9 pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>150 ft</u> <u>225 ft</u> <u>300 ft</u>	<u>Maintain connectivity to other natural areas.</u> <u>Restore degraded parts of the buffer.</u>
<u>Moderate level of function for habitat (score for habitat is 5-7pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>75 ft</u> <u>110 ft</u> <u>150 ft</u>	<u>N/A</u>
<u>High level of function for water quality improvement and low for habitat (score for water quality pts.: habitat less than 5 pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>50 ft</u> <u>75 ft</u> <u>100 ft</u>	<u>No additional discharges of untreated runoff.</u>
<u>Not meeting any of the above criteria.</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>50 ft</u> <u>75 ft</u> <u>100 ft</u>	<u>N/A</u>

Table 4-7: Category II Wetlands - Buffers

<u>Wetland Characteristics</u>	<u>Impact of Land Use</u>	<u>Buffer Width</u>	<u>Other Protection</u>
<u>High level of function for habitat (score for habitat is -9 pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>150 ft</u> <u>225 ft</u> <u>300 ft</u>	<u>Maintain connectivity to other natural areas.</u>
<u>Moderate level of function for habitat (score for habitat is 5-7pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>75 ft</u> <u>110 ft</u> <u>150 ft</u>	<u>N/A</u>
<u>Estuarine</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>75 ft</u> <u>110 ft</u> <u>115 ft</u>	<u>N/A</u>
<u>Not meeting any of the above criteria</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>50 ft</u> <u>75 ft</u> <u>100 ft</u>	<u>N/A</u>

Table 4-8: Category III Wetlands - Buffers

<u>Wetland Characteristics</u>	<u>Impact of Land Use</u>	<u>Buffer Width</u>	<u>Other Protection</u>
<u>Moderate level of function for habitat (score for habitat is 5-7pts.)</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>75 ft</u> <u>110 ft</u> <u>150 ft</u>	<u>N/A</u>
<u>Not meeting above criterion</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>40 ft</u> <u>60 ft</u> <u>80 ft</u>	<u>N/A</u>

Table 4-9: Category IV Wetlands - Buffers

<u>Wetland Characteristics</u>	<u>Impact of Land Use</u>	<u>Buffer Width</u>	<u>Other Protection</u>
<u>All</u>	<u>Low</u> <u>Moderate</u> <u>High</u>	<u>25 ft</u> <u>40 ft</u> <u>50 ft</u>	<u>N/A</u>

9. Buffer Measurement. All buffers shall be measured on a horizontal plane from the delineated wetland edge as marked in the field a qualified professional.
10. Fencing and Signs. This section applies to those wetlands and their buffers that are within 200 feet of regulated development activities.
 - a. Wetland buffers shall be temporarily fenced or otherwise suitably marked between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per city approval.
 - b. The director may require that permanent signs and/or fencing be placed on the common boundary between a wetland buffer and the adjacent land. Such signs will identify the wetland buffer. The director may approve an alternate method of wetland and buffer identification, if it provides adequate protection to the wetland and buffer.
11. Structure or hard surface setback. A structure or hard surface setback line of fifteen feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining

walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the wetland buffer or adversely impact the wetland. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 16.20.070 (Notice on Title).

12. Buffer Modification. Modifications to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.

- a. Buffer Width Averaging. The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:
 - i. The total area of buffer after averaging is equal to the area required without averaging.
 - ii. Averaging cannot result in the any portion of the buffer being reduced more than 25 percent of its required width.
- b. The required buffer widths for proposed land uses with high-intensity impacts to wetlands may be reduced to those required for moderate-intensity impacts under the following conditions:
 - i. For wetlands that score moderate or high for habitat (5 points or more for the habitat function), the width of the buffer may be reduced if both of the following criteria are met:
 - ii. A relatively undisturbed, vegetated corridor at least 100-feet wide is provided if the wetland contains any priority habitats as defined by the Washington Department of Fish and Wildlife. “Relatively undisturbed” and “vegetated corridor” are defined in the Western Washington Wetland Rating System. The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection, such as a Notice to Title.
 - iii. Measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 5, are applied.
 - iv. For wetlands that score less than 5 points for habitat, the buffer width may be reduced to that required for moderate land use impacts by applying measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 4-10.

- c. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer averaging or buffer reduction shall include a Buffer Enhancement Plan prepared by a qualified professional that meets the requirements of Section 4.1.5.14. Buffer enhancement plans shall be reviewed pursuant to the criteria in Section 4.1.5.6.
- d. Any other buffer modification resulting in a reduced buffer area, other than non-compensatory enhancement, requires a shoreline variance.

Table 4-10: Examples of measures to minimize impacts to wetlands from different types of activities.

<u>Examples of Disturbance</u>	<u>Examples of Measures to Minimize Impacts</u>	<u>Activities that Cause the Disturbance</u>
<u>Lights</u>	• <u>Direct lights away from wetland.</u>	<u>Parking lots, warehouses, manufacturing, residential</u>
<u>Noise</u>	• <u>Locate activity that generates noise away from wetland.</u> • <u>If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source.</u> • <u>For activities that generate relatively continuous, potentially disruptive noise, such as heavy industry or manufacturing, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer.</u>	<u>Manufacturing, residential</u>
<u>Toxic runoff*</u>	• <u>Route all new runoff away from wetland.</u> • <u>Establish covenants limiting use of pesticides within 150 feet of wetland.</u> • <u>Apply integrated pest management.</u>	<u>Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping</u>
<u>Stormwater runoff</u>	• <u>Retrofit stormwater detention and treatment for roads and existing adjacent development.</u> • <u>Prevent channelized flow from lawns that directly enters the buffer.</u>	<u>Parking lots, roads, manufacturing, residential areas, landscaping</u>

	• <u>Use Low Impact Development techniques consistent with BIMC 15.20.</u>	
<u>Change in water regime</u>	<u>Infiltrate or treat, detain, and disperse new runoff into buffer.</u>	<u>Impermeable surfaces, lawns, tilling</u>
<u>Pets and human disturbance</u>	• <u>Plant buffer with dense, impenetrable native vegetation appropriate for region.</u> • <u>Install low impact fencing at buffer perimeter.</u> • <u>Place wetland and its buffer in separate open space tract or protect with conservation easement.</u>	<u>Residential areas</u>
<u>Dust</u>	<u>Utilize best management practices to control dust.</u>	<u>Tilled fields</u>
<u>* These examples are not necessarily adequate to meet the rules for minimizing toxic runoff if threatened or endangered species are present at the site.</u>		

13. Wetland mitigation requirements

- a. Mitigation sequencing. All development, uses and activities proposed to impact wetlands shall be mitigated according to this Section and the mitigation sequencing steps outlined in Section 4.1.2.6. The applicant shall demonstrate to the satisfaction of the director that each step of mitigation sequencing has been adequately addressed prior to approval of impacts to wetlands.
- b. Compensatory mitigation shall be required for development, uses or activities that result in the loss of wetland acreage or in the reduction of wetland functions or values.
- c. Mitigation report. Where mitigation is required under the sequencing in subsection (1), a mitigation plan is a required component of a critical areas report meeting the requirements in Section 4.1.5.14, Critical area reports.
- d. Wetland replacement
 - i. The ratios shown in Table 4-11 shall be used to determine the required amount of wetland mitigation. The first number specifies the amount of wetland area to be restored, rehabilitated, created or enhanced, and the second number specifies the amount of wetland area lost. The director may decrease these ratios when there are findings of special studies coordinated with agencies with expertise which demonstrate that no net loss of wetland function or value is attained under the decreased ratio.

- ii. Mitigation requirements may also be determined using the credit/debit tool described in Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report (Ecology Publication #10-06-011, March 2012), or as revised) consistent with Table 4-11.

Table 4-11: Replacement Ratios for Wetlands

<u>Category and Type</u>	<u>Re-establishment or Creation</u>	<u>Rehabilitation</u>	<u>1:1 Re-establishment or Creation (R/C) and Enhancement (E)</u>	<u>Enhancement Only</u>
<u>I – Mature Forested</u>	<u>6:1</u>	<u>12:1</u>	<u>1:1 R/C and 10:1 E</u>	<u>24:1</u>
<u>I – Based on functions</u>	<u>4:1</u>	<u>8:1</u>	<u>1:1 R/C and 6:1 E</u>	<u>16:1</u>
<u>I – Bog or Natural Heritage Site</u>	<u>Not considered possible</u>	<u>6:1</u>	<u>Case by Case</u>	<u>Case by Case</u>
<u>II</u>	<u>3:1</u>	<u>6:1</u>	<u>1:1 R/C and 4:1 E</u>	<u>12:1</u>
<u>III</u>	<u>2:1</u>	<u>4:1</u>	<u>1:1 R/C and 2:1 E</u>	<u>8:1</u>
<u>IV</u>	<u>1.5:1</u>	<u>3:1</u>	<u>1:1 R/C and 2:1 E</u>	<u>6:1</u>

e. Approaches to compensatory mitigation.

- i. Compensatory mitigation may occur at the site of the allowed impacts or at an off-site location. Considerations for determining whether off-site mitigation is preferable include, but are not limited to one or more of the following:
- A. On-site conditions do not favor mitigation success due to soil conditions, hydrology or adverse impacts of adjacent land uses;
 - B. On-site conditions are isolated from other aquatic or riparian habitats;
 - C. An off-site location is beneficial to larger ecosystem or watershed functions;
 - D. An off-site location has greater likelihood of success or will provide greater functional benefits;

- E. The proposal for an off-site location uses a watershed approach consistent with Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Ecology Publication #09-06-32, December 2009).
- ii. Off-site compensatory mitigation may include the use of a wetland mitigation bank or an in-lieu fee program, if such instruments are available within the city limits.
- iii. Advanced mitigation. Compensatory mitigation in advance of proposed impacts may be allowed on a case-by-case basis for projects with pre-identified impacts consistent with Interagency Regulatory Guide: Advance Permittee-Responsible Mitigation (Ecology Publication #12-06-015, December 2012).
- ~~1. All development, development proposals and alterations that are located within or adjacent to shoreline jurisdictional wetlands or their buffers, or that are likely to significantly impact shoreline jurisdictional wetlands shall prepare a wetland analysis pursuant to Subsection B-4.7-10 of Appendix B, of this Master Program. The wetland analysis shall include the wetland rating (using the Washington State Wetland Rating System for Western Washington (2006) or as revised by Ecology), a functional assessment of potential buffers (based on Ecology's best available science for wetlands), and noting of any water features and other critical areas and their related buffers in the proximity of the proposed development.~~
- ~~2. Wetlands will be delineated using the Regional Supplement to the Army Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region or the current Washington State Department of Ecology methodology. The wetland buffer for shoreline wetlands shall be established pursuant to the provisions of Subsection B-10 in Appendix B of this Master Program.~~
- ~~3. Alteration of wetlands and their buffers is prohibited, unless:~~
- ~~a. Such a prohibition is deemed a violation of constitutional or statutory limitations on regulations of private property; or~~
- ~~b. The proponent can conclusively demonstrate to the satisfaction of the Administrator that the impacts are unavoidable.~~
- ~~4. In either case of subsection 3.a or 3.b, above, the proponent shall provide mitigation to achieve no net loss of wetland functions and values, according to an approved mitigation plan prepared consistent with this Master Program, including Section B-4 and B-6 of Appendix B, shoreline-specific Critical Areas Regulations.~~

4.1.5.14 The Winslow Ravine – Special Rules in Mixed Use Town Center

A portion of the “Winslow Ravine” which contains a ravine, a Type F stream, and several wetlands, is located in the Mixed Use Town Center (MUTC) zoning designation. In order to accommodate more dense development within the MUTC, and recognizing the significant distance from the top of the ravine to the stream and its adjacent wetlands, in lieu of the buffer

and setback rules provided for streams (Section 4.1.5.10) and wetlands (Section 4.1.5.12), an applicant may select the prescriptive option or the mitigated option with respect to the Winslow Ravine within the MUTC as described below:

Table 4-12. “Option A” - Prescriptive Standards

<u>CATEGORIES</u>	<u>BUFFER WIDTH STANDARD</u>	<u>MINIMUM STRUCTURE AND HARD SURFACE SETBACK</u>	<u>OTHER DEVELOPMENT STANDARDS</u>
<u>Streams and wetlands associated with the Winslow Ravine within the MUTC</u>	<u>50 feet measured from the top of the Winslow Ravine</u>	<u>15 feet beyond the buffer</u>	<u>No development, uses or activities are allowed within the buffer. Refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall not be located in the buffer and shall be removed if present.</u>

Table 4-13. “Option B” - Mitigated Standards. The applicant shall demonstrate by submittal of necessary studies and proposed mitigation, that measures can and will be taken to ensure that the functions and values provided by the buffers prescribed under “Option A” are retained or improved.

<u>CATEGORIES</u>	<u>BUFFER WIDTH STANDARD</u>	<u>MINIMUM STRUCTURE AND HARD SURFACE SETBACK</u>	<u>OTHER DEVELOPMENT STANDARDS</u>
<u>Streams and wetlands associated with the Winslow Ravine within the MUTC</u>	<u>25 feet measured from the top of the Winslow Ravine</u>	<u>15 feet beyond the buffer</u>	<u>No development, uses or activities are allowed within the buffer other than for public access meeting the standards in Section 5.8. If the buffer has previously been disturbed, the disturbed buffer area shall be revegetated pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14. Refuse, including but not limited to household trash, yard waste and</u>

			<u>commercial/industrial refuse, shall not be located in the buffer and shall be removed if present.</u>

4.1.5.15 Critical area reports

A. Aquifer recharge areas hydrogeological site assessment.

1. The hydrogeological site assessment shall include:
 - a. A site map drawn to scale which indicates the location of known or geologically representative wells (abandoned and active), springs, and surface water features within 1,000 feet of the project property boundary;
 - b. A description of the site-specific hydrogeological characteristics. At a minimum this will include a description of the lithology, depth and static water level of known underlying aquifer(s) and depiction of groundwater flow direction and patterns on the site map;
 - c. A description of the proposed land use and activities specifically detailing water consumption; an inventory of all chemical use, storage, transportation, production (including process wastewater), and disposal; and any potential pollutant identified by the U.S. EPA as a potential source of drinking water contamination (Appendix A of the Washington State Critical Aquifer Recharge Area Guidance Document) or known to be deleterious to the environment or human health; and
 - d. A general discussion of surface and groundwater quality and quantity in the area and the identification of the potential adverse quality and quantity impacts to groundwater and surface water features within 1,000 feet of the project.
2. In-depth Site Assessment Elements. The required elements of the in-depth site assessment for a given development or re-development will be based on the initial site assessment review by the city, the Kitsap Public Health District, affected Tribes, and affected public water purveyors.

One or more of the elements listed below may be required based upon the proposed project activity, complexity of underlying hydrogeological conditions, and the perceived potential to adversely impact groundwater or surface water quality or quantity. One or more of these elements may also be required if the applicant chooses to demonstrate that mitigation measures are not necessary to protect the quantity or quality of groundwater or surface water or that the project does not pose a risk of detriment to groundwater or surface water. Additional in-depth site assessment elements may include:

- a. Lithologic characteristics and stratigraphic relationships of the affected aquifer(s) and overlying geologic units and soil types including thickness, horizontal and vertical extent, permeability, and infiltration rates of surface soils.
- b. Delineation of identified structural features such as faults, fractures, and fissures.
- c. Aquifer characteristics including determination of recharge and discharge areas, transmissivity, storage coefficient, hydraulic conductivity, porosity, and estimate of groundwater flow direction, velocity and patterns for the affected aquifer(s).
- d. Estimate of precipitation and evapotranspiration rates for the project area.
- e. Preparation of appropriate hydrogeological cross sections depicting underlying lithology and stratigraphy, aquifer(s), and potential or probable contaminant pathways to both surface and groundwater from a chemical release.
- f. Determination of background or existing groundwater quality underlying the project area and water quality of surface water bodies.
- g. Contaminant fate and transport including probable migration pathways and travel time of potential contaminant release(s) from the site through the unsaturated zone to the aquifer(s) and through the aquifer(s), and how the contaminant(s) may be attenuated within the unsaturated zone and the aquifer(s) with consideration to advection, dispersion, and diffusion of contaminants in the groundwater.
- h. Delineation of areas potentially affected by contaminant migration on the ground surface and/or through potentially affected aquifer(s).
- i. Determination of the degree of continuity between groundwater and nearby surface water including potential impacts to baseflow in streams from proposed groundwater withdrawals, and potential impacts to surface water quality from site runoff or contaminated groundwater discharge.
- j. Assessment of the potential for pumping-induced seawater intrusion.
- k. Nitrate Loading Assessment. For projects that have the potential to adversely impact groundwater quality by nitrate loading, the applicant shall test existing wells and/or required test wells for nitrate as nitrogen and calculate the current and projected future groundwater nitrate concentrations at full project build-out, at appropriate point(s) of compliance, as determined by project characteristics, and in a methodology approved by the city. If the calculated nitrate loading in the intended water supply equals or exceeds 5 milligrams per liter nitrate as nitrogen, the applicant shall develop a mitigation plan with the point(s) of compliance determined based on project characteristics.
- l. Multiple-stage (or phased) development must consider impacts of the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.

B. Aquifer Recharge Mitigation Plan.

For proposals requiring aquifer recharge area impact mitigations, the applicant shall develop for approval by the city a mitigation plan for the proposed development. Affected public water purveyors (Group A & B), affected Tribes, and the Kitsap Public Health District will

be notified and invited to comment on all mitigation plans. The city will consider all recommendations submitted by these entities when developing appropriate permit conditions.

The city may, based on performance criteria and monitoring results, require additional amendments to the plan. The city reserves the right to submit mitigation plans for a third-party review at the applicant's expense and to reject any proposed land use or activity that poses significant risk to groundwater or surface water quality or quantity that cannot be satisfactorily mitigated.

1. The mitigation plan shall contain the project's permit conditions and, as applicable:
 - a. A description of the mitigation measures to be taken, how they will be implemented, and performance criteria.
 - b. A groundwater and surface water monitoring program to measure potential impacts of the development to underlying aquifer(s) and surface water. The monitoring plan will describe monitoring, maintenance, and reporting requirements.
 - c. A contingency plan describing spill response and corrective actions to be taken if a release of a pollutant occurs or monitoring results indicate that mitigation measures are not effectively protecting groundwater and surface water resources and human health. The city shall have the authority to impose additional required corrective actions where such measures are necessary to protect groundwater and surface water resources or human health. Where appropriate contingencies are not feasible and result in an activity posing unacceptable risk to groundwater or surface water resources or human health, the city shall deny the proposal.
 - d. Multiple-stage (or phased) development must consider mitigation for each phase of development as well as the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.
 - e. Conditions that would arise that warrant ceasing the project operation altogether.
 - f. Wellhead Protection Mitigation. Where a wellhead protection plan addressing the project area exists, the city shall use the recommendations contained in the wellhead protection plan as a basis for formulating required mitigation measures. In the absence of such a mitigation plan, the city shall contact the owner of the public water system (Group A and B) impacted by the proposed project and jointly develop mitigation measures, a summary of which shall be signed by the applicant and recorded with the applicant's property title.
 - g. Nitrate Loading Mitigation.
 - i. General Requirements. If a calculated nitrate loading concentration for a project at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall be required to place a notification on the documents of title for the property affected. A monitoring plan shall be developed to monitor the nitrate level and include a contingency plan to be implemented if the nitrate level exceeds 10 milligrams per liter nitrate as nitrogen.

- ii. Land Divisions. If the calculated nitrate loading concentration for a land division at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall:
 - (A) Develop a mitigation plan to minimize the nitrate loading rate; and
 - (B) Develop a contingency plan to be implemented if the nitrate concentration exceeds 10 milligrams per liter nitrate as nitrogen; and
 - (C) Submit the contingency plan with the final plat application. The contingency plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the contingency plan shall be listed on the face of the plat.
 - ii. Mitigation of nitrate in groundwater from on-site septic systems may include decreasing the density of septic system drainfields.
2. Recording of Mitigation Plan Summaries.
 - a. General Requirements. The city may require that the applicant record a city-approved summary of the mitigation plan on the property title. A copy of the recorded summary shall be provided to the city in hard copy and electronic format. If a property owner can demonstrate, to the satisfaction of the city, that mitigation measures are no longer necessary, the city shall approve the addition of language on the title for the property nullifying the mitigation requirements.
 - b. Land Divisions. The mitigation plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the mitigation plan shall be listed on the face of the plat.
 3. Performance Surety. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the Aquifer Recharge Mitigation Plan pursuant to Section 4.1.5.14.

C. Habitat management plan.

1. A habitat management plan (HMP) is a detailed report that outlines and documents the location of fish and wildlife conservation areas, any planned incursions or habitat impacts and a strategy for limiting impacts.
2. HMP review. All HMPs shall be submitted to the Washington State Department of Fish and Wildlife habitat biologist and to the Suquamish Tribe for review and comment within 14 days of a complete application pursuant to BIMC 2.16.030. If the HMP recommends mitigation involving federally listed threatened or endangered species, migratory waterfowl or wetlands, the U.S. Fish and Wildlife Service shall receive a copy of the draft HMP. Within that same time frame, the city's Environmental Technical Advisory Committee shall be asked to review the HMP and provide comments.

3. Map. The HMP shall contain a map prepared at an easily readable scale, showing:
 - a. The location of the proposed development site;
 - b. Property boundaries;
 - c. The relationship of the site to surrounding topographic and aquatic features and any connectivity to other wildlife habitat and corridors;
 - d. Proposed building locations;
 - e. A legend which includes acreage of the parcel, scale, north arrow, and date of map revision.
4. Report. The HMP shall contain a report that includes:
 - a. A description of the nature and intensity of the proposed development
 - b. Identification of existing habitat functions and values;
 - c. An analysis of the effect of the proposed development, activity or land use change upon the wildlife species and habitat features and processes identified for protection;
 - d. Any review comments received from a habitat biologist from the Washington State Department of Fish and Wildlife, and the Suquamish Tribe and U.S. Fish and Wildlife Service;
 - e. Demonstration of consistency with current Washington State Department of Fish and Wildlife Habitat Management Recommendations for the applicable habitat or species. If the recommendations are not followed, the HMP report should identify the best available science guidance that is being followed or applied;
 - f. A description of proposed seasonal activity restrictions in accordance with the Washington State Department of Fish and Wildlife Habitat Management Recommendations;
 - g. An analysis of the feasibility to maintain wildlife corridors and connectivity, if applicable;
 - h. A plan identifying proposed measures to mitigate any adverse impacts to wildlife habitats created by the proposed development. Proposed mitigation measures shall be specific to the affected habitat or species; and
 - i. A schedule for periodic monitoring, and a contingency plan with corrective actions if conservation or mitigation actions do not lead to the desired outcome.
5. HMP adequacy. If there is a disagreement between the director and the applicant as to the adequacy of the HMP, the issue of plan adequacy shall be resolved by consulting with the Washington Department of Fish and Wildlife. If the Washington Department of Fish and Wildlife is not available to review the HMP in a timely manner, the applicant may choose to have the city refer the HMP to a third party consultant at the expense of the applicant. After consultation with such State departments or third party consultant, the director shall make a final decision on the adequacy of the HMP.

6. Timing. An HMP must be developed and approved prior to issuance of a building permit or underlying land use application and must be implemented before the city grants a certificate of occupancy, as applicable.
7. Performance Surety. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the habitat management plan pursuant to Section 4.1.2.7.

D. Buffer Enhancement Plan

1. As part of a buffer modification request, the applicant shall submit a buffer enhancement plan that assesses the functions and values of the buffer and the effects of the proposed modification on those functions and values.
2. The buffer enhancement plan shall clearly demonstrate that equal or greater protection of the functions and values of critical areas and their buffers can be achieved through the buffer modification than could be achieved through providing the required buffer using an appropriate function assessment methodology.
3. The buffer enhancement plan shall identify how the applicant proposes to mitigate any adverse impacts to the critical area or buffer created by the proposed development.
4. The buffer enhancement plan shall be prepared in accordance with the applicable requirements of Section 4.1.5.14, Critical areas reports.

E. Geological Hazards Assessment

1. A geological hazards assessment shall contain the following site- and proposal-related information at a minimum:
 - a. Site and Construction Plans. The report shall include a copy of the site plans for the proposal showing:
 - i. The type and extent of geologic hazard areas, any other critical areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/ geologist;
 - ii. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;
 - iii. The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and
 - iv. Clearing limits.

- b. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:
 - i. A description of the surface and subsurface geology, including complexes, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;
 - ii. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
 - iii. A description of the vulnerability of the site to seismic and other geologic events.
 - c. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
 - d. Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis. Where the recommended buffers are less than the standard setbacks set forth in Section 4.1.5.10, the rationale and basis for the reduced buffer shall be clearly articulated and demonstrate that the protection standard set forth in that section has been met.
 - e. A review of, and recommendations relating to, the low impact development (LID) infeasibility criteria in the 2014 Stormwater Management Manual for Western Washington, as amended, demonstrating reasonable consideration of all applicable LID practices.
2. Landslide Hazard and Erosion Hazard Areas. In addition to the basic geologic hazards assessment, an assessment for an erosion hazard or landslide hazard area shall include the following information at a minimum:
- a. Erosion Control. An erosion control plan prepared by a civil engineer shall be submitted to the city prior to the issuance of a building permit.
 - b. The applicant shall provide a geotechnical analysis containing the following information:
 - i. Site Plan. The critical area report shall include a copy of the site plan for the proposal showing:
 - A. The height of slope, slope gradient, and cross-section of the project area;

- B. The location of springs, seeps, or other surface expressions of ground water on or a zone or distance of potential significant influence as determined by a professional engineer/ geologist; and
 - C. The location and description of surface water run-off features.
- c. Hazards Analysis. The hazards analysis component of the critical areas report shall specifically include:
- i. A description of the extent and type of vegetative cover;
 - ii. A description of subsurface conditions based on data from site-specific explorations;
 - iii. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;
 - iv. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;
 - v. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;
 - vi. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties;
 - vii. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;
 - viii. Recommendations for building siting limitations; and
 - ix. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion; and
 - x. A description of the potential modes of failure.
3. Geotechnical Engineering Report. The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:
- a. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;
 - b. Recommendations for drainage and subdrainage improvements;
 - c. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and
 - d. Mitigation of adverse site conditions including slope stabilization measures for seismically unstable soils, surface water management, location and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability if appropriate.
4. Seismic Hazards Areas. In addition basic geologic hazards assessment, an assessment for a seismic hazard area shall also meet the following requirements:

- a. Fault Hazard. The applicant shall provide a geologic/geotechnical analysis containing information specified by the City Engineer that documents the presence or absence of any surface deformation on the site in areas mapped by the city. If deformation is located, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer, which concludes that the development proposal as mitigated meets the standards of this section.
 - b. Liquefaction Hazard. The applicant shall provide a geotechnical analysis containing information specified by the City Engineer that meets the standards of this section (as mitigated).
 - c. Seismic Landslide Hazard. The applicant shall provide the same analysis and plan as required for landslide hazard areas.
5. Tsunami Hazards. The city shall provide applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level with information on tsunami hazards.

F. Wetland critical areas report.

A wetland critical areas report shall include, but not necessarily be limited to, the following:

1. A site plan showing the following:

- a. Surveyed wetland boundaries based upon a delineation by a wetland specialist or wetland boundaries recorded using a differential global positioning system, based upon a delineation by a wetland specialist.
- b. Location of required buffers pursuant to Section 4.1.5.11 or as proposed through buffer modification.
- c. Site boundary property lines and roads;
- d. Internal property lines, rights-of-way and easements;
- e. Existing physical conditions of the site, including buildings, fences and other structures, existing hard surfaces, utilities, etc.
- f. Contours at the smallest readily available intervals;
- g. Hydrologic mapping showing patterns of surface water movement and known subsurface water movement into, through, and out of the site;
- h. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets; and
- i. An aerial photograph with overlays displaying the site boundaries and wetland delineation.

2. A report including the following:

- a. Vicinity map
- b. Location information (parcel number and address)

- c. General site conditions including topography, size and surface area of all wetlands identified and water bodies within one-quarter mile of the site
- d. Analysis of functional values of existing wetlands
- e. Summary of proposed development, use or activities and potential impacts to wetlands
- f. Copies of rating forms and maps from the Wetland Rating System for Western Washington – Revised (2014) or as amended.
- g. Required buffers pursuant to Section 4.1.5.11.
- h. Complete U.S. Army Corps of Engineers wetland determination data forms
- i. National Wetland Inventory map
- j. Wetland mitigation plan, if compensatory mitigation is required.

G. Wetland mitigation plan.

- 1. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication #06-06-011b, March 2006), as revised, and, if applicable, Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington)(Ecology Publication 09-06-032, December 2009) and meet the following standards:
 - a. All critical area restoration, creation and/or enhancement projects required pursuant to this section either as a permit condition or as a result of an enforcement action shall follow a mitigation plan prepared by an expert approved by the director. The applicant or violator shall receive written approval of the mitigation plan by the director prior to commencement. Compensatory mitigation is not required for allowed activities which utilize best management practices to protect the functions and values of regulated critical areas.
 - b. Purpose of Mitigation Plan. The mitigation plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area. The mitigation plan shall recreate as nearly as possible the original critical area in terms of its acreage, function, geographic location and setting.
 - c. Mitigation Plan Submittal Requirements. A complete mitigation plan shall consist of plot plans, a written report, and performance bonds, as required below. The plot plans and written report shall be prepared by qualified professionals approved by the director.
- 2. Plot Plan Requirements. The following information shall be submitted on one or more plot plans (as determined by the director):
 - a. A legal description and a survey (boundary and topography) prepared by a licensed surveyor of the proposed development site, compensation site, and location of existing critical area(s) on each. This shall include wetland delineation and existing wetland acreage.
 - b. Scaled plot plan(s) indicating:
 - i. Proposed construction;

- A. Zoning setback and critical area buffer requirements;
 - B. Construction phasing and sequence of construction;
 - C. Site cross-sections, percent slope, existing and finished grade elevations;
 - D. Soil and substrate conditions;
 - E. Grading and excavation plan, including erosion and sediment control plans needed for construction and long-term survival; substrate stockpiling locations and techniques, and source controls needed for critical area construction and maintenance;
 - F. Landscape plans indicating species, types, quantities, locations, size, spacing or density of planting; planting season or timing; planting instructions, watering schedule and nutrient requirements; source of plant materials or seeds; and, where appropriate, measures to protect plants from destruction or predation; and
 - G. Water control structures and water-level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc.
3. Written Report Requirements. A written report shall accompany the plot plan(s) and shall provide the additional information required below. In addition, the report should be used as needed to clarify or explain elements of the plot plan(s).
- a. Baseline Information.
 - i. Wetland delineation and existing wetland acreage;
 - ii. Vegetative, faunal and hydrologic characteristics;
 - iii. Soil and substrate conditions;
 - iv. Relationship within watershed and to existing streams, wetlands, ponds, or saltwater;
 - v. Existing and proposed adjacent site conditions; and
 - vi. Existing and proposed ownership.
 - b. Environmental Goals and Objectives. The report shall contain a description of the environmental goals and objectives to be met by the compensation plan. The goals and objectives shall be related to the functions and values of the original critical area or, if out-of-kind wetland mitigation, the type of wetland to be emulated. This analysis shall include, but is not limited to the following:
 - c. Site selection criteria;
 - i. Identification of compensation goals;
 - ii. Identification of functions and values;
 - iii. Dates for beginning and completion of the project and compensation plan;
 - iv. A complete description of the relationship between and among structures and functions sought;
 - v. Review of available literature and/or known like-projects to date in restoring or creating the type of critical area proposed;
 - vi. Likelihood of success of the proposed compensation project at duplicating the original critical area. This shall be based on experiences of comparable projects identified in the literature review or existing projects, if any; and

- vii. Likelihood of the ability of the created or restored critical area to provide the functions and values of the original critical area. This shall be based on such factors as surface water and groundwater supply and flow patterns; dynamics of the ecosystem; sediment or pollutant influx and/or erosion, periodic flooding and drought, etc.; presence of invasive flora or fauna; potential human or animal disturbance; and previous comparable projects, if any.
- d. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the project are met and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance, and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.
- e. Detailed Specifications. Written specifications and descriptions of compensation techniques shall be provided. These shall include, but not be limited to, items in Subsection C.2 of this Section.
- f. Monitoring Program. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to:
 - i. Establishing vegetation plots to track changes in plant species composition and density over time;
 - ii. Using photo stations to evaluate vegetation community response;
 - iii. Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);
 - iv. Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate;
 - v. Measuring sedimentation rates, if applicable; and
 - vi. Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.
 - vii. A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. A monitoring report shall be submitted annually, at a minimum, documenting milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than seven years.
 - viii. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.
 - A. Performance and Maintenance Surety and Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project

shall be provided, including educational background and areas of expertise, training and experience with comparable projects. In addition, a surety ensuring fulfillment of the compensation project, monitoring program, and any contingency measure shall be posted pursuant to Section 4.1.2.7.

4. City Consultation. The city may consult with and solicit comments from any federal, state, regional, or local agency, including tribes, having any special expertise with respect to any environmental impact prior to approving a mitigation proposal which includes critical areas compensation. The compensation project proponents should provide sufficient information on plan design and implementation in order for such agencies to comment on the overall adequacy of the mitigation proposal.
5. Permit Conditions. Any compensation project prepared pursuant to this section and approved by the director shall become part of the application for the permit.

4.1.6 Water Quality and Stormwater Management

4.1.6.1 Principles

Water quality is affected in numerous ways by human activity. Impervious surfaces that accompanies development increases surface water runoff; which causes scouring and erosion of stream banks. Erosion increases suspended solid levels and a greater amount of stormwater carries heavy metals, household wastes, and excess nutrients into the waters of the state. Increased nutrient enrichment depresses dissolved oxygen levels. Degradation of water quality adversely impacts wildlife habitat and public health. The purpose of these provisions is to minimize water quality impacts of shoreline uses and activities. Shoreline master programs shall, as stated in RCW 90.58.020, protect against adverse impacts to the public health, to the land and its vegetation and wildlife, and to the waters of the state and their aquatic life, through implementation of the following principles:

- (i) Prevent impacts to water quality and stormwater quantity that would result in a net loss of shoreline ecological functions and processes, or a significant impact to aesthetic qualities, or recreational opportunities.
- (ii) Ensure mutual consistency between shoreline management provisions and other regulations that address water quality and stormwater quantity, including public health, stormwater discharge standards. The regulations that are most protective of ecological functions and processes shall apply.

4.1.6.2 Applicability

These provisions apply to all shoreline development, including that which does not require a Shoreline Substantial Development Permit. The use of pesticides, herbicides or fertilizers within the shorelines jurisdiction, including applications of herbicides to control noxious aquatic vegetation, shall comply with regulations of Section 4.1.5, Critical Areas and

responsible federal and state agencies. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.6.3 Goal

Maintaining high water quality standards and restoring degraded systems is mandated in the Shoreline Management Act (RCW 90.58.020 or its successor). The purpose of these provisions is to maintain existing water quality, restore impaired water bodies and minimize water quality impacts of shoreline uses and activities.

4.1.6.4 Policies

1. Require all shoreline uses and activities, and developments to be located, designated, constructed, and maintained to avoid or minimize adverse impacts to water quality, quantity, or hydrology.
2. Ensure that shoreline uses, activities, and developments are consistent with the City's Stormwater Management Plan and stormwater ordinances. Protect ecological functions and/or ecosystem-wide processes by avoiding and minimizing adverse impacts to water quality through shoreline vegetation management and stormwater management.
3. Use effective public education programs, site planning and best management practices to avoid or minimize the need for chemical fertilizers, pesticides, herbicides, and fungicides that could contaminate surface or ground water or cause adverse effects of shoreline ecological functions and ecosystem-wide processes.
4. Encourage the use of low impact development techniques as water quality treatment of surface water runoff, unless precluded by soil conditions, slope or other sensitive area conditions.

4.1.6.5 Prohibited

1. Wood that is treated with creosote, copper chromium arsenic (CCA) or pentachlorophenol (PCP) in or above shoreline water bodies, unless otherwise approved in Section 6.3, Overwater Structures.
2. Use of pesticides within a Shoreline Buffer and Site-specific Vegetation Management Areas, except as follows:
 - a. All shoreline developments and activities shall comply with the following standards in the application of pesticides or herbicides.
 - i. As part of an integrated pest management plan which is administered by a qualified professional to control rodents.

- ii. When it is the accepted practice to successfully eradicate aquatic or upland invasive/noxious vegetation species and Department of Ecology has approved a method of application.

4.1.6.6 Regulations – General

1. All shoreline development shall minimize any increase in surface runoff through control, treatment, and release of surface water runoff so that the receiving water quality, shore properties, and features are not adversely affected, and through compliance with the standards established in the City's adopted Stormwater Management Manual in BIMC 15.20.
2. Shoreline use and development shall incorporate measures to protect and maintain surface and ground water quantity and quality in accordance with all applicable laws.
3. Low impact development techniques shall be considered and implemented consistent with the City's adopted Low Impact Development Manual cited in BIMC 15.20.050.C unless the site is demonstrated to the satisfaction of the Administrator to be unsuitable for low impact development techniques.
 - a. When a direct discharge pipe is demonstrated to be necessary, the conveyance shall consist of the following:
 - i. A continuous heat welded high density polyethylene (HDPE) pipe; and
 - ii. Devices to keep the pipe stationary and set off bank; and
 - iii. An energy dissipation pad or water dissipater installed at the end of the pipe. The dissipation pad shall extend the minimum distance necessary to protect the beach substrate.
4. All proposals for bulk storage of oil, fuel, chemicals, or hazardous materials, on either a temporary or a permanent basis, shall require adequate secondary containment and an emergency spill response plan in place when appropriate. It shall be the responsibility of property owners to fund and implement the approved spill containment and cleanup plans and to complete the work by the deadline established in the plans according to BIMC 15.22.
5. Allowances to alter stormwater management standards of BIMC 15.20 may be approved by the City, provided it can be demonstrated that off-site facilities would provide better treatment, or where common retention, detention and/or water quality facilities meeting such standards have been approved as part of a comprehensive regional stormwater management plan.
6. Best management practices (BMP's) for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved Stormwater Pollution Prevention Plan (SWPPP), as required by BIMC 15.20, Surface and Storm Water Management, or administrative conditions.
7. To avoid water quality degradation by malfunctioning or failing septic systems located within shoreline jurisdiction, on-site sewage systems shall be located landward of any new

residence or business or if determined to be infeasible, in a location approved by the Administrator and designed to meet all applicable water quality, utility, and health standards. The owner must be in compliance with the Kitsap Health District, and any state and federal laws.

8. New residences or businesses on the shoreline located within two hundred (200) feet of an existing sewer line and/or within an established sewer service area shall be connected to the sewer system.
9. All materials that may come in contact with surface water or stormwater shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals. To avoid discharge of pollution, decking material or other structural components shall be approved by applicable state agencies for contact with water.
10. As a condition of permit approval, the Administrator may apply the following conditions to protect water quality:
 - a. Shoreline uses and activities shall apply Best Management Practices (BMP's) to minimize any increase in surface runoff and to control, treat and release surface water runoff so that receiving properties, receiving waters, wetlands or streams, and are not adversely affected, consistent with the City's adopted Stormwater Management Manual.
 - b. All types of BMPs shall be regularly maintained to continue to function as intended, according to the BIMC 15.21, Storm Water Facilities Maintenance Program. Such measures may include, but are not limited to:
 - i. Vegetated shoreline buffers and setbacks.
 - ii. Low Impact Development techniques for infiltration (rain gardens, pervious surfaces).
 - iii. Methods described in the City's adopted Stormwater Manual (catch basins or settling ponds, oil interceptor drains, grassy swales).
 - iv. The release of oil, chemicals (including pesticides and herbicides), fertilizer or hazardous materials, and others listed in BIMC 15.26~~2~~ onto land or into the water is prohibited within the shoreline jurisdiction.
 - v. Equipment for the transportation, storage, handling, or application of such materials shall be maintained in a safe and leak-proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.
11. The use of fertilizer is allowed within the Shoreline Buffer and Site-specific Vegetation Management Area when measures are taken to protect the waters of the state.
 - a. Minimize or prevent the runoff of chemical laden into adjacent water bodies.
 - b. The direct runoff of fertilizer chemicals into adjacent water bodies is prohibited.

- c. Application of fertilizer shall utilize BMPs outlined in the City's adopted Stormwater Management Manual.

4.1.7 Flood Hazard Management

4.1.7.1 Applicability

These provisions apply to primary flood hazard projects or programs. They also apply to construction, maintenance, repair, modification and/or expansion of flood hazard management systems. Provisions applicable to individual properties are in Section 6.0, Shoreline Modification Policies and Regulations. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.7.2 Policies

1. Base flood hazard management planning on applicable watershed management plans, critical area ordinances, and other comprehensive planning efforts. Coordinate flood hazard management among affected property owners and public agencies by considering the system-wide impacts of individual projects, cumulative impacts of individual projects, and ensuring that flood hazard protection measures do not result in a net loss of ecological function.
2. Allow removal of gravel for flood control should only if a biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction and that no net loss of ecological functions and ecosystem-wide processes will result. Removal must be part of a comprehensive flood management solution.
3. Ensure flood hazard management works are located, designed, constructed, and maintained to provide:
 - a. Protection of shoreline ecological functions and ecosystem-wide processes which may be damaged by interruptions of the geo-hydraulic system;
 - b. Protection of water quality and natural ground water movement;
 - c. Protection of fish, vegetation and other life forms and their habitat vital to the aquatic food chain; and
 - d. Protection of recreation resources and aesthetic values such as point and channel bars, islands, and other shore features and scenery.
4. Give preference to non-structural methods over structural flood control methods wherever feasible, including prohibiting or limiting development in historically flood prone areas, regulating structural design, and limiting increases in peak-flow runoff from new upland

development. Structural solutions to reduce shoreline damage should be allowed only after it is demonstrated that nonstructural solutions would not sufficiently reduce the damage.

4.1.7.3 Prohibited

1. Flood control works are prohibited on estuary or embayment shores, on point and channel bars, and in salmon spawning areas, except for the purpose of fish or wildlife habitat enhancement or restoration or as approved for a foundation for redevelopment of a legally established primary residential structure in the Point Monroe District.
2. Flood control structures and stream channelization projects that damage fish and wildlife resources, recreation or aesthetic resources, or create high flood stages and velocities shall be prohibited.

4.1.7.4 Regulations – General

1. Flood hazard management shall be a conditional use in the Shoreline Residential Conservancy, Island Conservancy, Shoreline Residential, Urban and Aquatic designations and prohibited in the Natural and Priority Aquatic designations, except in the Point Monroe District.
2. The City shall require the applicant to provide the following information during its review of shoreline flood management projects and programs.
 - a. Channel hydraulics and floodway characteristics up and downstream from the project area;
 - b. Existing shoreline stabilization and flood protection works within the area;
 - c. Physical, geological and soil characteristics of the area;
 - d. A biological resource inventory and analysis prepared by a qualified professional biologist that describes the anticipated effects of the project on fish and wildlife resources; and
 - e. A hydraulic analysis prepared by a licensed professional engineer that describes anticipated effects of the project on hydraulics including:
 - i. Potential increases in base flood elevation; and
 - ii. Geo-hydraulic processes leading to erosion or adverse effects to shoreline resources and uses; and
 - iii. Potential for redirection of the normal flow of the affected stream; and
 - iv. Predicted impact upon adjacent properties and shoreline and water uses; and
 - v. Analysis of alternative flood protection measures, both structural and nonstructural; and

- vi. An analysis of the flood frequency, duration and severity and expected health and safety risks as a rationale and justification for the proposed structure; and
 - vii. Proposed provisions for accommodating public access to and along the affected shoreline, as well as any proposed on-site recreational features; and
 - viii. A description of any proposed plans to remove vegetation and revegetate the site following construction.
3. The City shall require flood control structures to be professionally engineered and designed prior to final approval. The design shall be consistent with the Department of Fish and Wildlife Aquatic Habitat Guidelines and other applicable guidance and regulatory requirements.
 4. Flood control structures shall be permitted only when there is credible engineering and scientific evidence that:
 - a. They are necessary to protect existing, lawfully established development; and
 - b. They are consistent with BIMC 15.16, Flood Damage Prevention and the City Comprehensive Plan; and
 - c. Non-structural flood hazard reduction measures are infeasible; and
 - d. Proposed measures are consistent with an adopted comprehensive flood hazard management plan, if available.
 5. When permitted, flood control structures shall be:
 - a. Constructed and maintained in a manner that does not degrade the quality of affected waters or the habitat value associated with the in stream and riparian area; and
 - b. Placed landward of the OHWM except for weirs, current deflectors and similar structures to protect public bridges and roads; and
 - c. Placed landward of associated wetlands and designated habitat conservation areas, except for structures with a primary purpose of improving ecological functions and processes; and
 - d. Designed based on engineering and scientific analyses that provide the highest degree of protection to shoreline ecological functions or processes; and
 - e. Designed to allow for normal ground water movement and surface runoff. Natural in-stream features such as snags, uprooted trees, or stumps should be left in place unless they are actually causing bank erosion or higher flood stages; and
 - f. Designed to allow streams to maintain point bars and associated aquatic habitat through normal accretion so that the stream can maintain normal meander progression and maintain most of its natural storage capacity.

6. No flood control structure shall be installed or constructed without first having obtained all applicable federal, state, and local permits and approvals, including but not limited to a hydraulic project approval (HPA) from the Department of Fish and Wildlife and Federal Emergency Management Agency (FEMA) requirements for National Flood Insurance Program (NFIP) communities pertaining to flood prone areas. Conditions of the hydraulic project approval permit (HPA) issued by Washington State Department of Fish and Wildlife shall be incorporated into permits issued for flood protection.
7. Removal of beaver dams to control or limit flooding shall be allowed provided that the project proponent coordinates with the Department of Fish and Wildlife and obtains all necessary permits and approvals from the state.
8. Flood protection measures that alter, reroute, or change the shoreline may be approved as a conditional use only if it is demonstrated that other flood protection and planning measures would be insufficient. Alternative measures shall be considered in the following sequence:
 - a. No action
 - b. Non-structural measures such as vegetation enhancement or comprehensive planning
 - c. Increase building setbacks and/or relocate structures to a feasible location and/or elevate the structures.
 - d. Implement flexible/natural materials and methods, beach nourishment, protective berms, bioengineered solutions or other soft-treatment measures.
 - e. Apply development restrictions.

4.1.8 Shoreline Restoration and Enhancement

4.1.8.1 Applicability

This section provides for restoration and enhancement of ecologically impaired areas or areas with the goal of achieving a net gain in shoreline ecological functions and ecosystem-wide processes above the baseline conditions as of the adoption of this shoreline master program. Restoration and enhancement provisions apply to activities and projects proposed and conducted specifically for the purpose of establishing, restoring, or enhancing ecological functions and ecosystem-wide processes within shoreline upland, beach and/or aquatic areas measured below the ordinary high water mark (OHWM). Shoreline restoration activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.8.2 Goal

Over time, create net ecosystem-wide improvement in the shoreline environment by improving impaired shoreline ecological functions and ecosystem-wide processes that have been degraded or diminished. This will be accomplished through voluntary and incentive-based public and private programs and actions that restore and enhance shoreline areas prioritized through a restoration plan.

4.1.8.3 Policies

1. Improve shoreline ecological functions and ecosystem-wide processes through restoration and enhancement actions designed using principles of landscape and conservation ecology with the primary goal being to restore and/or enhance physical and biological ecosystem-wide processes that create and sustain shoreline habitat structures and functions.
2. Encourage and facilitate cooperative shoreline restoration and enhancement programs between local, state, and federal agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or ecosystem-wide processes.
3. Target restoration and enhancement actions to improve habitat requirement of priority species, such as Chinook and other species and/or locally important plant, fish and wildlife species; and/or other populations or habitats for which a prioritized restoration of recovery plan is available.
4. Integrate restoration and enhancement with other natural resources management efforts such as Puget Sound Salmon recovery planning, West Sound Watershed planning and Water Resource Inventory Area(WRIA) 15 Watershed Management planning.
5. As feasible, include provisions for shoreline vegetation restoration, fish and wildlife habitat enhancement, and low impact development techniques in projects located within the shoreline through project mitigation and incentive-based restoration.
6. Seek funding from state, federal, private and other sources to implement restoration and enhancement, and provide support to restoration work by identifying shoreline restoration priorities and organizing information on available funding sources for restoration implementation.
7. Encourage restoration and enhancement projects by developing project permitting and processing guidelines that will streamline the review of restoration-only projects.
8. Identify and encourage the use of tax incentive programs, mitigation banking, grants, land swaps, or other programs as they are developed, to encourage restoration and enhancement of shoreline ecological functions and ecosystem-wide processes and to protect habitat for fish, wildlife and plants.
9. Avoid adverse impacts to existing critical saltwater habitat areas, fish and wildlife habitat conservation areas, water quality and flood holding capacities.
10. Restore or enhance Island shorelines in conjunction with shoreline stabilization, recreational enhancement, and aquatic habitat creation or restoration. Do not allow creation

of new land area along the shoreline below the OHWM to raise the elevation to create dry upland areas.

11. Encourage supplementary beach nourishment where existing shoreline stabilization has the potential to decrease existing beach materials at or down-drift from the project site and should be coordinated with an Island-wide shoreline restoration plan.
12. Promote shoreline stabilization that incorporates beach restoration or enhancement in accordance with the restoration provisions of this Master Program.

4.1.8.4 Objectives

1. Encourage and facilitate cooperative restoration and enhancement programs between local, state and federal public agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or ecosystem-wide processes.
2. Restore and enhance shoreline ecological functions and processes as well as shoreline features through voluntary and incentive-based public and private programs.
3. Target restoration and enhancement towards improving habitat requirements of priority and/or locally important wildlife species.
4. Ensure restoration and enhancement is consistent with and, where practicable, prioritized based on the biological recovery goals for Chinook and bull trout populations and other species and/or populations for which a recovery plan is available.
5. Seek funding for various restoration actions and programs from local sources and by working with the Bainbridge Island Metropolitan Park and Recreation District and other jurisdictions in the WRIA 15 and stakeholders to seek federal, state, grant and other funding opportunities.
6. Continue to develop and implement the City's Shoreline Stewardship Program as a public education program to inform private property owners in the shoreline jurisdiction and in the remainder of the City about the effects of land management practices and other unregulated activities (such as vegetation removal, pesticide/herbicide use, car washing) or fish and wildlife habitats.

4.1.8.5 Regulations – Restoration

1. Restoration activities are permitted in all designations, and shall be carried out in accordance with the objectives of an approved shoreline restoration plan and in accordance with the policies and regulations of this Program.

4.1.8.6 Beach Nourishment and Enhancement

4.1.8.6.1 Policies

1. All beach enhancement projects should ensure that aquatic habitat, existing water quality levels and flood-holding capacities are maintained.

2. Beach restoration/enhancement utilizing self-sustaining systems should be required where;
 - a. The length and configuration of the beach will accommodate such systems;
 - b. Such protection is a reasonable solution to the needs of the specific site; and
 - c. Beach restoration/enhancement will accomplish one or more of the following objectives:
 - i. Recreate or enhance natural conditions.
 - ii. Create or enhance natural habitat.
 - iii. Mitigate erosion.
 - iv. Enhance access to the shoreline.
3. Supplementary beach nourishment should be encouraged where existing shoreline stabilization is likely to increase impoverishment of existing beach material at or down drift from the project site.

4.1.8.6.2 Regulations – Prohibited

1. Dikes, levees, jetties, groins, gabions and breakwaters, are prohibited. Drift sills for enhancement or restoration projects may be allowed.
2. Beach nourishment is prohibited unless part of an approved mitigation plan or restoration project within spawning, nesting, or breeding habitat and/or where littoral drift of the enhancement materials enhances shoreline and does not adversely affects shoreline ecological functions and shoreline ecosystem-wide processes or adjacent properties.

4.1.8.6.3 Regulations – General

1. Mitigation/enhancement/restoration proposal design alternatives shall include the best available technology.
2. Mitigation/enhancement/restoration proposals shall not:
 - a. Detrimentially interrupt littoral drift, or redirect waves, current or sediments to other shorelines;
 - b. Result in any exposed groin-like structures, provided that small “drift sill” groins may be used as a means of stabilizing restored sediment as part of a permitted beach restoration program;
 - c. Extend waterward more than the minimum amount necessary to achieve the desired stabilization;
 - d. Result in contours sufficiently steep to impede easy pedestrian passage, or to trap drifting sediments;
 - e. Create additional dry land mass; or

- f. Disturb valuable shallow-water fish/wildlife habitat as determined by the Department of Fish and Wildlife, unless such habitat is immediately replaced by new habitat that is comparable or better.
3. Beach Restoration Construction Standards:
 - a. The size and/or mix of new material to be added to a beach shall be as similar as possible to the undisturbed bluff sediment and Washington Department of Fish and Wildlife approved material (i.e. “Fish mix, or smaller grain size). The material shall not predominately consist of grain size similar to clay or silt.
 - b. The restored beach shall approximate, and may slightly exceed, the natural beach width, height, bulk, or profile (but not so as to obviously create additional dry land mass).

4.1.8.6.4 Specific Regulations – Beach Enhancement

1. Beach enhancement shall be a conditional use in all environments and shall be undertaken only for restoration, enhancement and maintenance of natural resources, or to enhance public access to the shoreline. Beach enhancement is prohibited if undertaken upland of Priority Aquatic designation.

4.2 General Use

4.2.1 Nonconforming ~~Uses, Non-Conforming Lots, and Existing Development~~ Nonconforming Structures, and Nonconforming Lots

4.2.1.1 Applicability

This section applies to shoreline uses and/or structures that were lawfully established or constructed prior to the effective date of the initial adoption of the Master Program (November 26, 1996) or ~~its amendments, but which do not conform to present regulations or standards of the Master Program amendments thereto, and which do not conform to current regulations or standards of this Program.~~ This section does not apply to shoreline modification or shoreline stabilization.

Nonconforming uses, lots and structures are not required to meet this Program’s requirements, unless new development or changes to a use, lot or structure that would require review under this Program are proposed.

4.2.1.2 Definitions

1. Nonconforming Use. A nonconforming use means an existing shoreline use that was lawfully established prior to the effective date of this Program (November 26, 1996), as amended, but which does not conform to present use regulations due to subsequent changes to the Program.

2. Nonconforming Lot. A nonconforming lot means a lot that met dimensional requirements of the applicable SMP at the time of its establishment (November 26, 1996), as amended, but now contains less than the required width, depth or area due to subsequent changes in the Program.

3. Nonconforming Structures. A nonconforming structure means an existing structure that was lawfully constructed prior to the effective date of this Program (November 26, 1996), as amended, but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the Program.

3. Nonconforming development" or "nonconforming structure" means an existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program.

4.2.1.23 Goal

~~It is the purpose of this program to recognize legally established primary residential structures, and to allow them to be maintained, repaired, remodeled, replaced and in some cases expanded in conformance with these rules. Residential structures that do not conform to this program should, over time, as the owner proposes changes to the structure, conform as completely as possible to this program, with due regard to unique site conditions and property rights.~~

~~It is further the purpose of this program to ultimately, over time, have uses and commercial structures conform to the provisions of this program. Over time, uses and commercial structures that do not conform to the standards of this program should be phased out as uses cease or redevelopment of structures occurs.~~

~~Note: Existing structures and uses that do not conform to this Program are not required to meet its requirements, unless the owner proposes changes to a structure or use that would require review under this Program.~~

It is the purpose of this section to recognize legally established uses, lots, and structures, and to allow them to be maintained, repaired, remodeled, replaced, and, in some cases expanded, in conformance with Section 4.2.1.5 through 4.2.1.8 of this Program with due regard to unique site conditions and property rights.

4.2.1.34 Policies

- ~~1. Lawfully constructed commercial and industrial structures shall be allowed to be repaired, maintained, and remodeled provided that the alteration does not increase the nonconformity.~~
- ~~2. Lawfully constructed structures, established uses, public facilities, transportation structures, and/or lots of record located within the shoreline jurisdiction prior to the effective date of the Master Program but which do not conform to the present policies, regulations or standards, shall be allowed to continue and be repaired and maintained.~~

- ~~3. Lawfully constructed residential structures may be repaired, maintained and remodeled provided the alteration meets the goals and provisions of this program.~~
- ~~4. Lawfully constructed residential structures may be expanded in some circumstances, provided the expansion will not result in adverse impacts to shoreline ecological functions and processes, and mitigation is provided.~~
- ~~5. Once discontinued, re-establishment of nonconforming uses located in the shoreline jurisdiction shall be restricted.~~
- ~~6. Lawfully constructed commercial structures that are located in the shoreline jurisdiction are to be phased out over time. Depending on the extent and intensity of the nonconformity, a primary residential structure and primary appurtenance, may be allowed certain alteration or expansion, provided that adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~
- ~~7. Lawfully constructed structures that are destroyed by fire, explosion, flood, or other casualty may be restored or replaced without increasing or expanding the nonconformity, and are encouraged to decrease nonconformity. Legally established overwater structures that are destroyed may be reconstructed to the same size, but the configuration may be altered to reduce the impact to the shoreline environment provided the size of the nonconformity is not increased. Such redevelopments may be permitted provided that impacts to shoreline functions and processes are mitigated or restored, and the reconstruction application is submitted within two years of the date of destruction.~~
- ~~8. Provisions for reconstruction of a lawfully constructed residential house shall allow certain expansions of the existing structure when it can be demonstrated that the expansion will not result in adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~
- ~~9. Legally created nonconforming lots of record may be developed provided that adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~
- ~~10. Redevelopment of nonconforming public rights-of-way and associated existing transportation structures may be permitted for purposes of facilitating essential public access, development of public trails and/or public shoreline access.~~
1. Nonconforming structures may be replaced, repaired, maintained, or remodeled and, in some cases, nonconforming structures may be expanded provided the change meets the current regulations and standards of this Program. Decreases in nonconformity should be encouraged.
2. Once discontinued, reestablishment of nonconforming uses and nonconforming commercial structures located in the shoreline jurisdiction should be restricted or phased out over time.

3. Nonconforming overwater structures may be reconstructed to the same size and modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.
4. Nonconforming lots of record may be developed consistent with the standards and regulations of this Program.
5. Redevelopment of nonconforming public rights-of-way and associated existing transportation structures may be permitted for purposes of facilitating essential public access, development of public trails and/or public shoreline access.

4.2.1.45 Regulations – General

- ~~1. Nonconforming uses and developments and/or existing buildings and structures that were lawfully constructed or existed prior to the effective date of initial adoption of this Program (November 26, 1996), or its amendments, but which do not meet the specific standards of this Program, may be continued subject to the provisions of this section; provided that shoreline modifications shall conform to Section 6.1, General Shoreline Modification Provisions, and Section 6.2, Shoreline Stabilization.~~
- ~~2. A complete application for any reconstruction under this section must be submitted within two (2) years of the date of damage or removal, and upon approval of the application, redevelopment must be completed within one (1) year of the commencement of reconstruction. A one (1) year extension may be granted, provided that a written request is submitted no later than twenty-one (21) days prior to either deadline and provided that the owner is not responsible for the delay.~~
- ~~3. An existing use designated by the adoption of an applicable amendment hereto as a conditional use that lawfully existed prior to the adoption of the Program or the adoption of an applicable amendment hereto and which has not obtained a conditional use permit, shall be considered a legal nonconforming use and may be continued subject to the provisions of this section without obtaining a conditional use permit.~~
- ~~4. A structure for which a variance has been issued but which does not comply with applicable requirements of this Program as amended shall be considered a legal existing structure and the requirements of this section shall apply.~~
- ~~5. Any permitted remodel or expansion shall not cause adverse impacts to shoreline ecological functions and/or processes.~~
1. Nonconforming uses, lots, and structures may continue subject to the provisions of this section.
2. Any alterations to nonconforming uses or structures shall meet the no net loss standard pursuant to Section 4.1.2.4. The current condition of the shoreline, including nonconforming uses and structures, shall be the starting point or baseline for determining compliance with the no net loss standard.

4.2.1.56 Regulations - Nonconforming Uses

1. Nonconforming uses shall not be altered or expanded in any way that increases the nonconformity.
2. If a nonconforming use is discontinued for twelve (12) consecutive months, any subsequent use shall be conforming; except that if a nonconforming use is operated within a nonconforming structure that is accidentally damaged or destroyed and reconstruction is proposed under Section 4.2.1.6.1(3)7, then the use may be re-established within the same time period as the reconstruction for the nonconforming structure pursuant to Section 4.2.1.4(2)7.1(7).
3. A nonconforming use cannot be changed to another nonconforming use.
4. Change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, provided that all provisions are met.

4.2.1.67 Regulations – ~~Existing Development~~ Nonconforming Structures

4.2.1.67.1 General Provisions – Nonconforming Structures

- ~~1. Existing structures may be maintained, repaired, renovated, or remodeled provided all the following is met:~~
 - ~~a. Changes to the structure that would alter or increase the nonconformity are not permitted;~~
 - ~~i. Any vertical or horizontal extension of a wall must meet the provisions of this program.~~
 - ~~ii. Adding to the footprint of an existing structure is permitted as long as the addition meets the requirements of this program.~~
 - ~~b. There is no further encroachment into the buffers unless allowed by this program or through an approved variance;~~
 - ~~c. Renovations or remodels are entirely contained within the building;~~
 - ~~d. If moved, the structure shall be made to conform to regulations of this program.~~
- ~~2. If an existing primary structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, provided the use is conforming or meets the provisions of Section 4.2.1.4, Regulations General, and 4.2.1.5, Regulations Nonconforming Uses, above.~~
 - ~~a. This provision shall not apply to structures that are destroyed due to a criminal act initiated by the property owner; and~~

~~b. The replacement structure shall not warrant new shoreline stabilization for the life of the new structure.~~

~~c. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Regulations—Nonconforming Uses, and Appendix B.~~

1. All nonconforming structures may be maintained, repaired, renovated, remodeled, or rebuilt. In some cases, nonconforming structures may be expanded subject to the specific provisions of this Program.
2. Nonconforming structures shall not be reconstructed, altered, or expanded in any way that increases the nonconformity.
3. No further encroachment into the shoreline buffer established in accordance with Section 4.1.3 is allowed unless permitted by this Program.
4. Any nonconforming structure that is relocated must conform to regulations of this Program.
5. The enlargement or replacement of a structure shall not warrant new shoreline stabilization for the life of the new structure; and
6. A replacement structure, or portion thereof, must meet geologically hazardous provisions in Section 4.1.5.
7. A complete application for any reconstruction under this section must be submitted within three (3) years of the date of damage or removal and must include documentation of site conditions and building configuration existing immediately prior to the time the structure was demolished or destroyed. Upon approval of the application, redevelopment must be completed within one (1) year of the commencement of reconstruction. A one (1) year extension may be granted, provided that a written request is submitted no later than twenty-one (21) days prior to either deadline and provided that the owner is not responsible for the delay.

Note: Commercial and Industrial structures moved to Section 4.2.1.7.6

~~4.2.1.6.2 Existing Structures—Commercial and Industrial (Primary and Accessory)~~

- ~~1. Existing commercial structures shall not be altered or expanded in any way that increases the nonconformity without first obtaining a variance.~~
- ~~2. Reconstruction of existing commercial structures and buildings intentionally demolished or destroyed in any other manner than described in Section 4.2.1.6.1(2), shall be in conformance with all standards of the Program.~~

4.2.1.6.37.2 Existing Structures—Nonconforming Structures – Residential Single-Family: Primary Structures

- ~~1. If an existing primary residential structure is damaged or destroyed as described in Section 4.2.1.6.1(2), the existing primary residential structure configuration may be altered or expanded pursuant to subsections 4.2.1.6.3(2-4).~~
- ~~2. An existing primary residential structure may be altered or expanded to the extent allowed by this Program, provided:
 - ~~a. Enlargement or expansion of the building configuration, including any new impervious surfaces located within the Shoreline Buffer shall be located landward of the existing or original building footprint, only one such expansion may occur within the lifetime of the development, and the expansion shall not exceed:
 - ~~i. The allowed building area for Point Monroe District, Section 5.9.6(2).~~
 - ~~ii. The allowed building area for encumbered lots, Section 4.2.1.7.~~
 - ~~iii. For structures not meeting i or ii; twenty five percent (25%) of the existing building footprint.~~~~
 - ~~b. Any vertical expansion must meet height requirements of this Program;~~
 - ~~c. Remnant foundation and/or impervious surfaces located within the Shoreline Buffer shall be removed;~~
 - ~~d. Mitigation of the shoreline buffer is provided in accordance with Section 4.1.2, Environmental Impacts;~~
 - ~~e. The remodel or expansion shall not cause adverse impacts to shoreline ecological functions and/or processes; and~~
 - ~~f. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.~~~~
- ~~3. Permitted expansion of an existing structure shall not substantially impact the existing views of the water from primary waterfront residences or public rights-of-way to any greater degree than a fully conforming structure.~~
- ~~4. Increases in structure footprint outside of the Shoreline Buffer shall be allowed, even if all or a portion of the existing footprint is within the Shoreline Buffer. In such case, the addition or enlargement shall be treated as a separate building or structure in determining conformity to all of the requirements of this Program.~~
1. A nonconforming primary residential structure located within the shoreline buffer may be altered, expanded, or rebuilt, provided:
 - a. If an existing primary residential structure is damaged or destroyed by any means, it may be reconstructed to the same footprint and bulk dimensions existing immediately prior to the demolition or destruction.

- b. Any enlargement or expansion of the building, including any new impervious surfaces, shall be located landward of the existing or original building footprint.
- c. No enlargement or expansion shall be located within Zone 1 of the shoreline buffer.
- d. Expansion is limited to an increase of up to 500 square feet of the existing footprint over the lifetime of the structure.
- e. For structures not within an encumbered lot, enlargement or expansion may be allowed as follows:
 - A. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed hard surfaces is less than or equal to four thousand square feet expansion is allowed with mitigation as required in the Single Family Shoreline Mitigation Manual.
 - B. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed hard surfaces is greater than four thousand square feet expansion is allowed with submittal of a site-specific impact analysis and approval of a shoreline conditional use permit.
- f. No landmark trees as defined in BIMC 16.24 shall be removed to accommodate the enlargement or expansion.
- g. No significant trees shall be removed to accommodate the enlargement or expansion unless the Administrator determines all of the following are met:
 - A. The use of mitigation sequencing pursuant to Section 4.1.2.6 is demonstrated prior to removal of the tree.
 - B. The healthy trees remaining on the property are able to maintain existing shoreline ecological function and processes.
 - C. Reasonable and feasible alternatives that would allow for the preservation of the tree are not available.
- h. Permitted expansion of a nonconforming structure shall not substantially impact the existing views of the water from primary residences or public rights-of-way to any greater degree than a fully conforming structure in accordance with Section 4.1.3.11.
- i. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.

Note: Multifamily primary structures moved to Section 4.2.1.7.5

~~4.2.1.6.4 Existing Structures – Multifamily Residential: Primary Structures~~

- ~~1. If an existing primary multifamily residential structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, including building height and footprint of the structure.
 - ~~a. This provision shall not apply to structures that are destroyed due to a criminal act involving the property owner; and~~
 - ~~b. The replacement structure shall not warrant new shoreline armoring for the life of the new structure; and~~
 - ~~c. The reconstruction shall not cause adverse impacts to shoreline ecological functions and processes.~~
 - ~~d. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Critical Areas, and Appendix B.~~~~
- ~~2. An existing primary multifamily residential structure or portion thereof may be reconstructed, altered, or expanded, including the footprint and/or the height increased, to the extent allowed by this Program, if the following are met:
 - ~~a. Public access is provided pursuant to Section 4.2.4.6, Regulations – Public Access Design and Location Standards; and~~
 - ~~b. Mitigation of the shoreline buffer is provided to meet no net loss, as detailed in Section 4.1.2, Environmental Impacts, including revegetation standards in Section 4.1.2.5(3).~~~~

~~4.2.1.6.57.3~~ **Existing Nonconforming Structures – Residential: Accessory Structures**

- 1. If an existing a nonconforming residential accessory structure is damaged, destroyed or intentionally demolished, the any reconstruction shall be in conformance with all standards of theis Program, except:**
- 2. If a nonconforming essential single-family residential accessory structure is damaged, destroyed or intentionally demolished, it may be replaced in the same location provided all other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.**
 - ~~a. An existing essential single family residential accessory structure may be reconstructed as follows:~~
 - ~~b. Replacement structure is the same bulk dimension as the existing structure.~~

- ~~c. Replacement structure may be located within Zone 2 provided mitigation occurs in accordance with 4.1.2.5, Regulations—Revegetation Standards;~~
- ~~d. Attached decks essential to a single family residence may be replaced in the same location;~~
- ~~e. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.~~

Note: Encumbered and nonconforming lots moved to Section 4.2.1.8

~~4.2.1.7 Regulations—Encumbered and Nonconforming Lots~~

- ~~1. Single family development and redevelopment, except in the Point Monroe District, that is proposed on a legal nonconforming lot located in the shoreline jurisdiction or proposed for a shoreline property that is significantly encumbered by shoreline or critical area buffers, may be allowed without a shoreline variance when the following criteria are met:~~
 - ~~a. A lot contains a building area of 2,500 square feet or more available for a single family residence and normal appurtenances and unrestricted by buffers from shorelines or critical areas shall comply with the provisions of this Program. The building area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping; or~~
 - ~~b. A lot that does not meet the requirement of subsection 1.a above, shall meet the following:~~
 - ~~i. Landslide hazard provisions of Section 4.1.5, Critical Areas, and Appendix B and provide the maximum buffer dimension feasible for critical areas; and~~
 - ~~ii. Provide a building area not to exceed 2,500 square feet with maximum lot coverage of 1,200 square feet. The building area shall be located on the portion of the lot providing the maximum Shoreline Buffer dimension with consideration given to view; and~~
 - ~~iii. All single family residential development approved under this section shall meet the shoreline structure view setback provisions in Section 4.1.3.11, Regulations—Shoreline Structure Setback View Requirement; and~~
 - ~~c. The area between the structure and the shoreline and/or critical area shall comply with revegetation standards in Section 4.1.2.5(3), the vegetation conservation standards of Section 4.1.3, Vegetation Management, and provisions of Section 4.1.5 Critical Areas, and Appendix B; and~~
 - ~~d. Development may not take place waterward of the ordinary high water mark; and~~

- e. ~~Facilities such as a conventional drainfield system may be allowed outside of the building area specified above, and allowed within buffer areas, except wetlands buffers. Such facilities shall not be located closer than 75ft to OHWM; and shall be subject to regulations of Section 4.1.5, Critical Areas.~~

4.2.1.7.4 Nonconforming Structures – Residential and Commercial Overwater Structures

1. ~~Existing docks floats, and buoys may be repaired and replaced in the same foot print and shall comply with this Program’s requirements for materials and standards, to the extent practicable.~~
 - a. ~~Except that as a conditional use, an existing dock may be modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.~~

Nonconforming docks, piers, floats, and buoys may be replaced in the same footprint and shall comply with this Program’s requirements for materials and standards, to the extent practicable.

2. Nonconforming docks, piers, floats, and buoys may be modified, reoriented or altered within the same general location without a substantial development permit if the resulting structure is more consistent with this Program’s requirements for materials and standards.
3. ~~Except for docks and floats, repair and replacement up to 50% of the footprint of any existing aquatic structures, including shoreline modifications, or buildings or portions thereof within the Aquatic or Priority Aquatic designations, shall only be done once within any five year period. Such replacements shall comply with this Program’s requirements for materials and standards to the extent practicable. If the structure is composed of several components, then the 50% shall be calculated independently for each component. Replacement of nonconforming overwater structures other than docks, piers, floats, and buoys may be replaced if such replacement is authorized as normal repair consistent with WAC 173-27-040(2)(b).~~
3. ~~The replacement shall meet Section 4.1.2, Environmental Impacts, including the mitigation sequencing standards of Section 4.1.2.6, Regulations Mitigation, to meet the standard of no net loss of shoreline ecological functions and/or processes. Shoreline stabilization shall also meet the alternative analysis provision of Section 6.2.8(1).~~

4.2.1.7.5 Nonconforming Structures – Multifamily Residential: Primary Structures

1. ~~If an existing primary multifamily residential structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, including building height and footprint of the structure.~~
 - a. ~~This provision shall not apply to structures that are destroyed due to a criminal act involving the property owner; and~~

- ~~b. The replacement structure shall not warrant new shoreline armoring for the life of the new structure; and~~
- ~~c. The reconstruction shall not cause adverse impacts to shoreline ecological functions and processes.~~
- ~~d. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Critical Areas, and Appendix B.~~
- 2. ~~An existing primary multifamily residential structure or portion thereof may be reconstructed, altered, or expanded, including the footprint and/or the height increased, to the extent allowed by this Program, if the following are met:~~
 - ~~a. Public access is provided pursuant to Section 4.2.4.6, Regulations – Public Access Design and Location Standards; and~~
 - ~~b. Mitigation of the shoreline buffer is provided to meet no net loss, as detailed in Section 4.1.2, Environmental Impacts, including revegetation standards in Section 4.1.2.5(3).~~
- 1. A nonconforming primary multifamily residential structure, or any portion thereof, may be reconstructed only in conformance with the current regulations and standards of this Program, including provisions for public access (Section 4.2.4.6) and residential development (Section 5.9).
- 2. A nonconforming primary multifamily residential structure, or any portion thereof, that is damaged or destroyed by a natural catastrophic event, may be reconstructed to the footprint and bulk dimensions existing immediately prior to the catastrophic event.

4.2.1.7.6 Nonconforming Structures – Commercial and Industrial (Primary and Accessory)

~~**4.2.1.6.2 Existing Structures – Commercial and Industrial (Primary and Accessory)**~~

- ~~1. Existing commercial structures shall not be altered or expanded in any way that increases the nonconformity without first obtaining a variance.~~
- ~~2. Reconstruction of existing commercial structures and buildings intentionally demolished or destroyed in any other manner than described in Section 4.2.1.6.1(2), shall be in conformance with all standards of the Program.~~
- 1. Nonconforming commercial and industrial structures, or any portion thereof, demolished or destroyed by any means may be reconstructed only in conformance with the current regulations and standards of this Program; except, nonconforming commercial structures utilized wholly for water-oriented uses may be reconstructed to the same footprint and bulk dimensions existing immediately prior to destruction by catastrophic event or intentional demolition.

4.2.1.87.7 Regulations – Nonconforming Public Facilities & Transportation

1. Nonconforming public facilities shall be allowed to continue and to be repaired, maintained, or remodeled.
2. Redevelopment of nonconforming public rights-of-way and associated transportation structures ~~are~~ is allowed for purposes of facilitating essential public access, development of public trails, and/or public shoreline access, provided that no other alternative is feasible and redevelopment shall be otherwise consistent with the provisions of this Program, including but not limited to the provisions for public access and no net loss of shoreline ecological functions and processes.

~~4.2.1.8 Regulations – Existing Residential and Commercial Aquatic Structures and Accessory Aquatic Structures~~

- ~~1. Existing docks floats, and buoys may be repaired and replaced in the same foot print and shall comply with this Program's requirements for materials and standards, to the extent practicable.~~
 - ~~a. Except that as a conditional use, an existing dock may be modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.~~
- ~~2. Except for docks and floats, repair and replacement up to 50% of the footprint of any existing aquatic structures, including shoreline modifications, or buildings or portions thereof within the Aquatic or Priority Aquatic designations, shall only be done once within any five year period. Such replacements shall comply with this Program's requirements for materials and standards to the extent practicable. If the structure is composed of several components, then the 50% shall be calculated independently for each component.~~
- ~~3. The replacement shall meet Section 4.1.2, Environmental Impacts, including the mitigation sequencing standards of Section 4.1.2.6, Regulations Mitigation, to meet the standard of no net loss of shoreline ecological functions and/or processes. Shoreline stabilization shall also meet the alternative analysis provision of Section 6.2.8(1).~~

4.2.1.78 Regulations – Encumbered and Nonconforming Lots

1. Single-family development and redevelopment, except in the Point Monroe District, that is proposed on a ~~legal nonconforming lot located in the shoreline jurisdiction~~ or proposed for a shoreline property that is significantly encumbered by ~~shoreline or critical area buffers~~ critical areas, critical areas buffers or setbacks, or shoreline buffers, may be allowed without a shoreline variance when the following criteria are met:
 - a. If a lot contains a building area of 2,500 square feet or more that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development of a single-family residence and normal appurtenances shall occur within that unrestricted development area and comply with the provisions of this

Program. The development area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping.

~~A lot contains a building area of 2,500 square feet or more available for a single-family residence and normal appurtenances and unrestricted by buffers from shorelines or critical areas shall comply with the provisions of this Program. The building area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping; or~~

- b. ~~A lot that does not meet the requirement of subsection 1.a above, shall meet the following~~ If a lot does not contain a development area of 2,500 square feet or more available for a single-family residence and normal appurtenances that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development shall meet the following provisions:
 - i. Landslide hazard provisions of Section 4.1.5, Critical Areas, ~~and Appendix B~~ and provide the maximum buffer dimension feasible for critical areas; and
 - ii. Provide a **building development** area not to exceed 2,500 square feet with maximum lot coverage of 1,200 square feet. The **building development** area shall be located on the portion of the lot providing the maximum Shoreline Buffer dimension with consideration given to view; and
 - iii. All single-family residential development approved under this section shall meet the shoreline structure view setback provisions in Section 4.1.3.11, Regulations – Shoreline Structure Setback View Requirement; and
- c. The area between the structure and the shoreline and/or critical area shall comply with revegetation standards in Section 4.1.2.5(3), the vegetation conservation standards of Section 4.1.3, Vegetation Management, and provisions of Section 4.1.5 Critical Areas, ~~and Appendix B~~; and
- d. Development may not take place waterward of the ordinary high water mark; and
- e. Facilities such as a conventional drainfield system may be allowed outside of the development area specified above, and allowed within buffer areas, except wetlands buffers. Such facilities shall ~~not be located closer than 75ft to OHWM~~ be located a minimum of 75 feet from the ordinary high water mark; and shall be subject to regulations of Section 4.1.5, Critical Areas.

4.2.2 Cultural Resources

4.2.2.1 Applicability

The following provisions apply to cultural, archaeological and historic resources that are either recorded by the State Historic Preservation Office, affected Indian tribes and/or by local jurisdictions, or have been inadvertently uncovered. Archaeological sites located both in and outside shoreline jurisdiction are subject to Chapter 27.44 RCW (Indian graves and records)

and Chapter 27.53 RCW (Archaeological sites and records) and development or uses that may impact such sites shall comply with ~~C~~chapter 25-48 WAC (archaeological excavation and removal permit) as well as the provisions of this Master Program. Shoreline development and activities associated with cultural resources will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.2.2 Policies

1. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to, any site having historical, cultural, scientific or educational value as identified by the appropriate authorities, including affected Indian tribes, and the Washington State Department of Archaeology and Historic Preservation.
2. Ensure that public or private uses and activities are compatible with any site having historic, prehistoric, cultural, scientific or educational purpose or value as identified by the appropriate authorities.
3. Develop guidelines to direct private and public development with regard to historic structures and areas. Require on-site interpretive signs, plaques or other interpretive and educational measures when a project impacts or retains cultural resources, unless prohibited by law.
4. Coordinate with the Metropolitan Park District to ensure Comprehensive Plan's consistency with cultural resource management policies.

4.2.2.3 Regulations - General

1. New or expanded shoreline use and development, including preferred uses, restoration projects and uses exempt from permit requirements shall:
 - a. Preserve and protect cultural resources that are recorded by the Washington State Department of Archaeology and Historic Preservation or local registry and resources that are inadvertently discovered during use or development activities; and
 - b. Consult the City, the Washington State Department of Archaeology and Historic Preservation and affected tribes prior to beginning development so there is ample time to assess the site and make arrangements to preserve cultural resources; and
 - c. Comply with all state and federal regulations pertaining to archaeological sites.
2. Significant cultural resources shall be permanently preserved for scientific study, education, and public observation. Employ all feasible means to ensure that data, structures, and sites having historical, archaeological, cultural, scientific, or educational

significance are preserved, extracted, or used in a manner commensurate with importance. Unless an alternate period is agreed to by the applicant, or if a different federal or state law supersedes this SMP, the City may postpone development activities a maximum of 90 days to allow for the:

- a. Development of a Cultural Resource Management Plan and/or retrieval and preservation of significant artifacts.
- b. Investigation of public acquisition potential, including:
 - i. Consulting with Historic Preservation Commission on grant opportunities; and
 - ii. Informing City Council of opportunity.
3. When determining potential impacts to cultural resources, the project area shall be limited to proposed development use pattern, including associated areas, such as paths, equipment storage and appurtenances.
4. Archaeological excavations may be permitted subject to the provisions of this program.

4.2.2.4 Regulations - Procedure

1. When reviewing a permit, the City will use the following methods to determine probability of cultural resources occurrence:
 - a. Predictive models;
 - b. Local and State Inventory; and
 - c. Registries:
 - i. National Register of Historic Places
 - ii. Washington Heritage Register
 - iii. Heritage Barn Register
2. The following shall be required of the City when permits or statements of exemptions are issued in areas known to contain, or to have a significant probability of containing cultural resources:
 - a. The Washington State Department of Archaeology and Historic Preservation and affected tribes shall be notified of the proposed activity, including timing, location, scope, and resources affected; and
 - b. The applicant shall provide a Cultural Resource Site Assessment and a Cultural Resource Management Plan, for review and approval pursuant to subsection 3, below; and
 - c. Costs for the Cultural Resource Site Assessment and Cultural Resource Management Plan are the responsibility of the applicant; and

- d. The applicant shall identify areas and fence off known or suspected archaeological middens and areas of cultural significance according to the Cultural Resource Management Plan, prior to site development or proposed activities.
3. If a Cultural Resource Assessment identifies significant cultural resources, the applicant shall be required to submit a Cultural Resource Management Plan (CRMP) which shall include:
 - a. An analysis of actions to be taken by the property owner, applicant, archaeologist, or historic preservation professional in the event that an inadvertent discovery of historic, archaeological, or cultural sites or artifacts occurs during site development; and
 - b. An explanation of why the proposed activity requires a location on, or access across and/or through, a significant cultural resource; and
 - c. A description of the cultural resources affected by the proposal; and
 - d. An assessment of the cultural resource and an analysis of the potential adverse impacts as a result of the activity; and
 - e. Measures recommended to prevent adverse impacts or to address review comments from the City, Washington State Department of Archaeology and Historic Preservation, and affected tribes;
 - f. Measures recommended for mitigation; and
 - g. Measures for identification and education. Interpretive signs, plaques, or other interpretive and educational measures of historical and archaeological features shall be provided, unless the identification of the location of the cultural resource is protected by state or federal laws. (See Applicability for laws governing Archaeological sites.)
4. If archaeological resources are inadvertently uncovered during construction or other activities, the property owner(s) shall immediately stop work and comply with the provisions of Subsection 2, and the following:
 - a. The applicants(s) must first receive permission from the State Office of Archaeology and Historic Preservation and the City, prior to further site disturbance (RCW 27.53.060 or its successor).
5. Identified historical or archaeological resources shall be considered during project planning for all park, open space, public access and projects with access to such areas. Projects shall be designed and managed to give maximum protection to retain cultural resources and surrounding environment.
6. The project may be exempt from shoreline permit requirements in the event that unforeseen factors constituting an emergency (as defined in RCW 90.58.030 or its successor) necessitate rapid action to retrieve or preserve artifacts or data. When such a waiver is provided, the City shall notify the Washington State Department of Ecology,

the State Attorney General's Office, and the Washington State Department of Archaeology and Historic Preservation.

4.2.3 Parking

4.2.3.1 Applicability

The following should apply only to parking that is accessory to a permitted shoreline use. Additional parking regulations in the BIMC Title 18, Zoning, may also apply. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.3.2 Policies

1. Allow parking that directly serves a shoreline use and that is sensitive to adjacent shorelines and properties. Encourage accessible parking for road ends; limit accessory motorized parking within the shoreline jurisdiction, except for ADA parking services; and encourage parking facilities for non-motorized transportation.
2. Ensure parking facilities are located, designed, constructed, and operated to minimize adverse impacts to water quality, aesthetics, public access, vegetation and habitat, stormwater runoff, noise, and glare. Low impact development techniques, such as permeable surfaces and/or rain gardens (bio-retention cells), should be required of all parking, including single-family residences where suitable site conditions exist.
3. Design and locate parking to serve more than one use (e.g., recreational use on weekends, commercial uses on weekdays).

4.2.3.3 Regulations – Prohibited Uses

1. Parking as a principal use (i.e., not accessory to an authorized use) except when provided as part of a public road end or scenic vista.
2. Parking shall be prohibited over water except at the publicly-owned ferry terminal in the Urban designation.

4.2.3.4 Regulations – General

1. Parking in the shoreline jurisdiction shall directly serve a shoreline use and shall require a conditional use permit in the Natural designation.
2. Parking supporting specific land use activities within the shoreline jurisdiction is subject to the requirements and standards set forth in BIMC 18.15.020, in addition to the specific use regulations of this section.

3. Parking shall be prohibited over water except at the publicly-owned ferry terminal in the Urban designation.
4. Parking areas shall serve multiple facilities unless shown to the satisfaction of the Administrator not to be feasible.

4.2.3.5 Regulations – Location and Design

Parking shall comply with the following design standards as applicable (e.g. item 1 would not apply to over-water ferry terminal parking):

1. Parking facilities shall be located upland of the water-oriented portions of the development and where feasible, landward of the principal buildings unless contained within a permitted structure, and set back from the OHWM as established in Section 4.0, Table 4-2, Shoreline Setback.
2. The design and construction for single-family residential parking and parking facilities shall assure that surface water runoff will not pollute adjacent waters or cause soil or beach erosion, and shall meet the standards of Section 4.1.6. Water Quality and Stormwater Management. Oil separators and detention facilities shall be required for new parking facilities. Alternatives to conventional stormwater treatment, such as use of pervious materials, shall be considered where appropriate in order to minimize impacts of runoff and/or the need for stormwater treatment.
3. Security lighting associated with parking facilities shall be beamed, hooded, or directed so as to not cause a nuisance glare.
4. Parking facilities shall be separated from residential, recreation, and natural areas (e.g., the shoreline) by landscaping and/or screening in accordance with the landscaping requirements of BIMC Title 18, Zoning.
5. Parking facilities shall be designed and landscaped to minimize adverse impacts to adjacent shorelines and properties. Landscaping shall be designed and installed pursuant to BIMC 18.15.010(F), Parking Lot Landscaping, and shall provide screening within three (3) years of planting. Plantings shall be maintained for the life of the parking facility. The requirement for screening may be waived or modified by the Administrator, where screening would impact shoreline views from public property or public roadway or to address public safety concerns. Landscape areas shall not be used for the storage of materials or parking of automobiles or other vehicles.
6. Parking facilities shall provide safe and convenient pedestrian circulation within the parking area, and to the shoreline and building entrances. Pedestrian connections must be at least five (5) feet wide and shall either be a raised sidewalk or composed of a different material than the parking lot material. Parking facilities shall meet ADA standards.
7. Surface parking areas shall be developed using low impact development techniques whenever possible, including but not limited to the use of permeable surfacing materials.

8. Parking facilities contained in buildings that face a public pedestrian walkway, public use area, or public park must incorporate vegetation and/or building surface treatment to mitigate the visual impacts of the structured parking.

4.2.3.6 Regulations – Use Specific Parking and Circulation

1. See Table 4-1, Shoreline Use and Table 4-2, Shoreline Setback, for restrictions related to specific uses and the following regulations.

4.2.3.7 Specific Regulations – Boating Facilities Parking

1. Short-term loading areas may be located at ramps or near berthing areas. Long-term parking that is greater than 24 hours, and long-term paved storage areas shall be separated from the OHWM by a native vegetation buffer and setback at least one-hundred (100) feet, unless demonstrated to the satisfaction of the Administrator not to be feasible.
2. To the maximum extent possible, marinas and accessory uses shall share parking facilities, giving preference to marina use.
3. Parking facilities shall be provided according to the following schedule

First 50 moorage slips:	1 vehicle space per 2 slips
Slips 51 to 100:	1 vehicle space per 3 slips
Slips over 100:	1 vehicle space per 4 slips
4. Additional parking space shall be provided as follows:
 - a. An additional space for every four hundred (400) square feet of interior floor space devoted to accessory retail sales or services.
 - b. Where live-aboards are permitted, additional parking shall be provided at a rate of 1 vehicle per live-aboard vessel or houseboat allowed, except open water moorage and anchorage areas shall follow (c) and (d) below.
 - c. Live-aboard tenants of open water moorage and anchorage areas shall provide either:
 - i. Evidence of access to one legal vehicle parking space per anchorage/moorage space for the duration of the anchorage/moorage period; or
 - ii. An affidavit stating that no vehicle is owned or used by the tenant.
 - d. Two load/unload parking spaces shall be provided for transient users of open water moorage and anchorage areas.
5. Marinas and launch ramps shall be located where access streets are adequate to handle the traffic load generated by the facility and shall be designed to minimize other

circulation and access conflicts. Backing of trailers on public roads shall be discouraged and appropriate signage shall be provided.

6. Roads between marinas and arterial routes shall be satisfactory to the City for marina access including:
 - a. All-weather surfacing;
 - b. Width;
 - c. Safety;
 - d. Alignment;
 - e. Sign distance;
 - f. Grade; and
 - g. Intersection controls.
7. Marinas and boat launches shall be designed so that existing or potential public access along beaches is not unnecessarily blocked nor made dangerous, and so that public use of the surface waters below the OHWM is not unduly impaired.
8. At each public or quasi-public launch ramp, at least ten (10) car and trailer spaces measuring at least ten (10) feet by forty (40) feet shall be provided for each ramp lane.

4.2.3.8 Specific Regulations – Road Ends and Scenic Viewpoints Parking Facilities

1. Road ends shall contain a minimum number of two parking stalls, if feasible, which shall be designed pursuant to BIMC 18.15.020.
2. Trailheads shall contain a minimum number of two parking stalls, if feasible, which shall be designed pursuant to BIMC 18.15.020.

4.2.4 Public Access – Visual and Physical

4.2.4.1 Principles

The provisions of this section are intended to:

1. Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
2. Protect the rights of navigation and space necessary for water-dependent uses.
3. To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
4. Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.

4.2.4.2 Applicability

Public access includes the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and shoreline from adjacent locations. Public access provisions apply to all shoreline as prescribed by this program. Development, uses, and activities shall be consistent with Section 4.1.3, Vegetation Management. Public access provisions must be consistent with the Non-motorized Transportation Plan, a component of the Transportation Element of the Comprehensive Plan. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; [Appendix B](#); and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.4.3 Goal:

Provide, maintain and enhance a safe, convenient and balanced system of visual and physical public access to the shoreline which includes a diversity of opportunities for the public to enjoy the shorelines of the state, including ADA access to the extent feasible, while recognizing or acknowledging the fragile natural features of the shoreline and the rights of private property ownership.

4.2.4.4 Policies

1. Develop, adopt and implement a comprehensive shoreline public access plan that incorporates public access into new shoreline development, unifies individual public access points into a system plan, and seeks new waterfront access points to increase visual and physical shoreline access through enhancement of publicly held land, incentives, easements, land acquisition, and other appropriate means.
2. Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and ecosystem-wide processes and the public health and safety.
3. Preserve and enhance physical and visual shoreline access. Shoreline development, uses, and activities should not unreasonably impair or detract from the public's physical and visual access to the water. Development provisions, such as height limits, setbacks and view corridors, should be utilized to minimize impacts to existing views from public property or substantial numbers of residences. Physical public access shall have priority over maintenance of views from adjacent properties, unless there is a compelling reason to the contrary. View enhancement should not adversely impact the ecological functions of shoreline vegetation.
4. Expand the amount and diversity of public shoreline access opportunities and promote public access to the water via road rights-of-way ("road ends") and public utility corridors and easements (where possible), with a goal of providing comparable access in all neighborhoods.

5. New commercial use development or development by public entities must include public access to the shoreline as part of each development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment. Where feasible, public access should be provided parallel to the beach (such as a walking/bicycling path or promenade) and waterward of all buildings in all commercial and all Urban designation.
6. The Winslow Waterfront Trail should be completed and protected through acquisition, easement dedication, or other appropriate means.
7. Require public access, both visual and physical, as a condition of approval for any new private shoreline development which diminishes existing public access or increases demand for public access commensurate with the impacts of such development and the corresponding benefit to the public. In such cases, public access should be required unless health, safety, or environmental protection needs cannot be met.
8. Public access should be designed to avoid or minimize adverse impacts to the shoreline environment; to minimize impacts to private property and individual privacy; to distinguish between public and private property; and to ensure public safety.
9. City-owned shorelines should be reserved for water-dependent or public recreational uses, or maintained as open space.
10. Shoreline and water views from public upland areas should be preserved and enhanced where it would not risk environmental damage. However, vegetation alteration or removal to achieve a filtered view should not be excessive.

4.2.4.5 Regulations - General

1. New development increasing demand for public access and/or reducing existing access by blocking or discouraging its use, shall incorporate provisions for visual and/or physical public access into any shoreline development that meets one or more of the following tests:
 - a. Any uses, except for single-family residential development with four or fewer dwelling units or building lots located in the Urban designation;
 - b. Includes commercial, industrial or any nonresidential uses located in any shoreline designations;
 - c. Includes residential development and/or residential land division that provides five or more dwelling units or building lots located in any shoreline environments.
2. When public access provisions are required for development, the Administrator shall prepare written findings demonstrating consistency with the principles of nexus and proportionality and the test stated in regulation (1), above. The determination shall include:
 - a. Project-specific expected impacts;

- b. Specific reasoning for determination of need for public access requirements;
 - c. How the suitable public access options are related to the specific project.
- 3. Public access will not apply as prescribed in regulation (1) above, if the determination does not demonstrate the need or the applicant demonstrates to the satisfaction of the City one or more of the following:
 - a. Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means.
 - b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions.
 - c. The cost of providing the access, easement, or an alternative public access amenity on or off the development site is unreasonably disproportionate to the total long-term cost of the proposed development.
 - d. Environmental impacts which cannot be adequately mitigated will result from the public access.
 - e. Significant undue and unavoidable conflict between any access provisions and the proposed use and/or adjacent uses would occur and cannot be mitigated.
- 4. Prior to deciding public access is not required pursuant to regulation (2) or (3) above, the applicant must first demonstrate, and the City determine in its findings, that all reasonable alternatives have been exhausted, including, but not limited to:
 - a. Regulating access by such means as maintaining a gate and/or limiting hours of use.
 - b. Designing separation of uses and activities (e.g., fences, terracing, use of one-way glazing, hedges, other landscaping).
 - c. Provision(s) for access on a site geographically separate from the proposal such as a road end, vista, tideland or trail system.
- 5. Development, uses, and activities shall be designed and operated to avoid blocking, reducing, or adversely interfering with the public's existing physical and visual access to the water and shorelines; and shall balance the public's visual access to the shoreline with the retention of existing shoreline vegetation so as not to adversely impact the ecological functions and processes of existing shoreline vegetation.
 - a. The public's physical shoreline access is a priority over maintenance of adjacent shoreline properties shoreline views.
 - b. Where a development or use will interfere with an existing public access, the development or use shall apply mitigation sequencing principles and provide public access in proportion to the impact.
 - c. Public upland properties may preserve and enhance public shoreline views through limited vegetation pruning and/or vegetation removal to achieve a

filtered view as described in the filtered screen landscaping provisions of BIMC 18.15.010, provided that it is demonstrated to the satisfaction of the Administrator that such visual enhancement measures

- i. Do not adversely impact the environment, including the ecological functions of shoreline vegetation; and
 - ii. Meet the standards of Section 4.1.3, Vegetation Management of this Master Program.
6. The public's visual and physical access provided by shoreline road ends, public utilities, and rights-of-way shall not be diminished. [RCW 35.79.035 or its successor and RCW 36.87.130 or its successor]. Submerged public rights-of-way shall be preserved for public access.
7. Publicly owned shoreline properties shall be reserved for public water-dependent uses, public recreational uses, or public open space.
8. Development by public entities shall include public access to the shoreline, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment.

4.2.4.6 Regulations – Public Access Design and Location Standards

1. Public access shall consist of a dedication of land, easement, and/or a physical improvement such as a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launching ramp, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays.
2. The minimum width of public access easements shall be 10 feet, unless the Administrator determines that undue hardship would result. In such cases, easement widths may be reduced only to the extent necessary to relieve hardship.
3. Public access shall incorporate the following location and design standards:
 - a. A public pedestrian access walkway located generally parallel to the ordinary high water mark of the property and waterward of buildings shall be required in the Urban designation, or for new commercial developments or where open space is provided along the shoreline, provided that the public access can be designed in a manner that will not adversely impact shoreline ecological functions and/or processes.
 - i. The walkway shall be buffered from sensitive ecological features and provide limited and controlled access to sensitive features and the water's edge where appropriate.
 - ii. Fencing may be provided temporarily to control damage to plants and other sensitive ecological features and permanently where appropriate.

- iii. Trails should be constructed of materials, such as permeable material or elevated structures appropriate for conditions to limit impacts to ecologically sensitive areas and should be limited to 4 feet in width to reduce impacts to ecologically sensitive resources.
- b. Public access where applicable should be designed to:
 - i. Be located adjacent to other public areas, accesses or connecting trails;
 - ii. Connect to the nearest public street and include connections to the Winslow Waterfront Trail and other planned trails as required and specified in the City's Non-Motorized Transportation Plan or Metropolitan Park District Comprehensive Plan; and
 - iii. Include provisions for handicapped and physically impaired persons where feasible and consistent with applicable state and federal law.
- c. Where views of the water or shoreline are available and physical access to the water's edge is not present or appropriate, a public viewing area shall be provided.
- d. Design shall minimize intrusions on privacy by avoiding locations adjacent to windows and/or private open spaces or by screening or other separation techniques.
- e. Public amenities that are appropriate to the level of expected use shall be provided to serve the users of a public access area, such as benches, picnic tables and sufficient public parking. Vista parking facilities shall include a significant public view and provide recreational opportunities such as picnic tables or viewing benches.
- f. Public facilities, public uses and commercial developments that attract a substantial number of people, and developments by government/public entities may be required to provide public restrooms, facilities for disposal of animal waste, and other appropriate public facilities.

4.2.4.7 Regulations – Public Access Permit Requirements

1. Development with public access requirements shall meet the following:
 - a. The required public access shall be fully developed and available for public use at the time of occupancy of the use or activity in accordance with conditions of approval, or in accordance with other provisions for guaranteeing installation within a 5-year period through a monetary performance assurance as approved by the City Attorney.
 - b. Public access easements and conditions of approval shall be recorded on the deed of title and/or on the face of the plat or short plat as a condition running with the authorized land use. Recording with the County Auditor's office shall occur at the time of permit approval. [RCW 58.17.110 or its successor].

- c. The standard state-approved logo or other approved sign(s) that indicate the public's rights of access and hours of access shall be constructed, installed, and maintained in conspicuous locations at public access sites. In accordance with regulation 4.2.4.6(3)(a) above, the City may control or restrict public access as a condition of permit approval.
 - d. Public access facilities shall be maintained over the life of the use or development unless the City approves amending access to provide equal or greater public access than currently provided. Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided.
2. When properties are subdivided, owners of newly created lots which do not have frontage on the water shall be provided common access to the water, to the extent feasible and provided that it will not cause unacceptable environmental harm which cannot be adequately mitigated.

4.2.5 Signs

4.2.5.1 Applicability

Signs are regulated primarily through BIMC 15.08, Sign Code. The following provisions apply to all signs within the jurisdiction of the Shoreline Master Program, including signs used for the purpose of providing information related specifically to enhancing the public enjoyment of the shorelines through education and/or noting areas of special cultural or historical significance. These provisions do not apply to publicly owned signs where the purpose is to provide information regarding safety, direction, directions, and the like. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.5.2 Policies

- 1. Signs should be designed and placed so they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses.
- 2. Signs should not block or otherwise interfere, during daylight or non-daylight hours, with visual access to the water or shorelands.
- 3. Signs should be of a permanent nature, should serve an approved use, and should be located on the property approved for such use.

4.2.5.3 Regulations - General

1. Signs for specific land use activities within the shoreline jurisdiction are subject to the requirements and standards set forth in the Bainbridge Island Municipal Code, Chapter 15.08, Sign Code, in addition to the regulations of this section.
2. Overwater signs or signs on floats or pilings shall be prohibited, except when related to navigation or as approved as part of a water-dependent use.
3. The following types of signs may be permitted, subject to the provisions contained within this section:
 - a. Water navigational signs and highway and road signs necessary for operation, safety and direction;
 - b. Public information/interpretive signs directly relating to a shoreline resource, use or activity;
 - c. Off-premise, free-standing signs for community identification, information, or directional purposes;
 - d. Signs with changing messages, provided that the information displayed on a non-lighted sign is limited to displaying time, temperature or date or public non commercial messages. Commercial electric signs with changing messages are prohibited;
 - e. National, state or institutional flags or temporary decorations customary for special holidays and similar events of a public nature; and
 - f. Temporary directional signs to public or quasi-public events if removed within ten (10) days following the event and permitted in accordance with BIMC Chapter 15.08.

4.2.5.4 Regulation – Public Access Signs

1. Signs indicating the public's right to access shoreline areas shall be installed and maintained in conspicuous locations at recreational facility points of access and entrances.
2. The location of new public access sites shall be clearly identified. Signs with the appropriate agency's logo shall be constructed, installed and maintained by the project proponent in conspicuous locations at the public access sites and/or along common routes to public access sites. The signs shall indicate the public's right of access, the hours of access, and other information.

4.2.6 Transportation Facilities

4.2.6.1 Applicability

Transportation facilities are also subject to Section 4.0, General (Island-wide) Policies and Regulations, including Tables 4-1 through 4-3; Section 3.0, Shoreline Designation Policies and Regulations; Section 4.1.5, Critical Areas ~~and Appendix B~~; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; Section 6.4, Dredging and Dredge Material Disposal; and Section 6.5, Fill. Construction and maintenance activities related to transportation facilities may require a Vegetation Management Plan and/or a Stormwater Pollution Prevention Plan (SWPP) pursuant to BIMC Chapter 15.20, Surface and Storm Water Management, and Master Program Sections 4.1.3, Vegetation Management, and 4.1.6, Water Quality and Stormwater Management. Transportation facility development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts and may also be reviewed under BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.6.2 Policies

1. Plan, locate and design proposed transportation and parking facilities where routes will have the least possible adverse effect on unique or fragile shoreline features, and will not result in a net loss of shoreline ecological functions and ecosystem-wide processes or adversely impact existing or planned water-dependent uses.
2. In planning for new transportation systems, give priority to transportation modes favoring multimodal systems. New roads and bridges should not be allowed, except access roads (including driveways) or when a bridge provides the least adverse impact to ecological functions and ecosystem-wide process.
3. Encourage trail and bicycle systems as a preferred access to and along the shoreline. Road reconstruction projects should include non-motorized transportation facilities.
4. When existing transportation corridors are vacated, acquire them for water-dependent use or public access.
5. Encourage joint use of transportation and utility rights-of-way within shoreline jurisdiction for roads and utilities.
6. Encourage state highway and public street modifications that promote stream restoration or mitigate existing environmental damage.
7. Encourage the completion of the Eagle Harbor Waterfront Trail.
8. Locate nonwater-oriented and water-related transportation facilities outside the shoreline jurisdiction.
9. Promote public views from roads and encourage projects to incorporate ADA compliant shoreline access opportunities.

10. Allow reconstruction of public roads located in the shoreline that are in danger of loss or substantial damage and which serve as the primary means of access to a substantial number of residents, if no feasible alternative is possible for relocating the road out of danger or where it would cause more ecological damage to do so, and where mitigation of impacts avoids a net loss of shoreline ecological functions and ecosystem-wide processes.

4.2.6.3 Regulations – Prohibited

1. The following transportation facilities are prohibited:
 - a. New highways, arterials, secondary arterials, railroad facilities, and heliports;
 - b. Additional bridges over Puget Sound waters to and from Bainbridge Island;
 - c. In the Priority Aquatic designation all transportation facilities, except trails; and
 - d. New transportation facilities in front of feeder bluffs, over driftways or on accretion shoreforms.
2. Fills for transportation facility development are prohibited in water bodies, wetlands, marshes, bogs, swamps and on accretion beaches except when there is a demonstrated purpose and public need that supports the uses consistent with this program, and alternatives to accomplish the same purpose have been shown to be infeasible. Such fill may be permitted by a conditional use permit and must comply with the provisions of Section 6.5, Fill.
3. Herbicides for roadside brush control on city roads in the shoreline jurisdiction, except when a city-approved integrated pest management plan is implemented. See Section 4.1.6, Water Quality and Stormwater Management.

4.2.6.4 Regulations – General

1. Pervious trails shall be permitted in upland shoreline designations.
2. Publicly-owned ferry terminals and services, except over-water facilities, are allowed as a permitted use in the Urban designation and in the adjacent aquatic environment. New over-water facilities in conjunction with a permitted ferry terminal are a conditional use in the Urban designation and in the adjacent aquatic environment and are prohibited in all other environments.
3. Float plane facilities and services are a conditional use in the Urban designation.
4. New access roads shall be allowed only where required because of one of the following:
 - a. Other means of access are demonstrated to the satisfaction of the Administrator to be infeasible or environmentally unacceptable; or
 - b. The road is needed for ferry service.
5. Transportation facilities and services shall utilize existing transportation corridors whenever possible, provided that facility additions and modifications will not adversely

impact shoreline resources and are otherwise consistent with this program. Expansion of the existing corridor shall meet the provisions of Section 4.1.3, Environmental Impacts.

6. Shoreline road ends may not be vacated except in compliance with RCW 35.79.035 or its successor and RCW 35.79.035 or its successor.
7. Transportation facilities including, but not limited to, ferry terminals, and/or float plane terminals shall meet the height and setback standards in Table 4-2.

4.2.6.5 Regulation – Design, Construction and Maintenance

4.2.6.5.1 Construction and Maintenance

1. Waste material from both construction and maintenance activities, including drainage ditch clearing, shall not be deposited into or cast on the side of roads within a shoreline, water body, wetland, estuary, tideland, accretion beach, and other unique natural area. Such materials shall be deposited in stable locations where re-entry and erosion into such areas is prevented.
2. No machinery shall be operated within or along a stream bed, marine shoreline, lake, wetland or pond except in compliance with a hydraulics permit approval (HPA) issued by the Washington State Department of Fish and Wildlife. If an HPA is not required, operation of machinery may be approved by the Administrator.
3. Existing roads corridors shall be adequately maintained with site-appropriate native vegetation where feasible to provide slope stability and to enhance shoreline function. Shoreline scenic drives and viewpoints may provide breaks periodically in the vegetative buffer to allow open views of the water.

4.2.6.5.2 Road Design

1. Transportation facilities shall employ low impact development techniques according to the provisions of Section 4.1.6, Water Quality and Stormwater Management.
2. Transportation and primary utility facilities shall be required to make joint use of rights-of-way and to consolidate crossings of water bodies; where doing so minimizes adverse impacts to the shoreline.
3. Roadway design shall include facilities for bicycle and pedestrian routes as prioritized in the Non-Motorized Transportation Plan.
4. Culverts, bridges and similar devices shall be designed to pass water, sediment, and debris loads anticipated under appropriate hydraulic analysis in compliance with the stormwater regulations of BIMC 15.20, Surface and Storm Water Management, and shall not impede the migration of anadromous fish.

5. The use of hard shoreline stabilization in transportation facility design shall be employed only when it is demonstrated to the Administrator that alternatives are impracticable or infeasible.

4.2.7 Utilities (Primary and Accessory)

4.2.7.1 Applicability

These provisions apply to services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. On-site utility features serving a principal use, such as water, sewer or gas line to a residence, are “accessory utilities” and shall be considered a part of the principal use. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.7.2 Policies – Primary Utility

1. Design and locate utility facilities to assure no net loss of shoreline ecological functions and ecosystem-wide processes, preserve the natural landscape, and minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations in areas planned to accommodate growth.
2. Ensure utilities utilize existing transportation and utility sites, rights-of-way, and corridors whenever possible, rather than creating new corridors. Joint use of rights-of-way and corridors should be encouraged.
3. Do not allow utility production and processing facilities, such as power plants, sewage treatment plants, and solid waste disposal activities and facilities, or parts of those facilities that are nonwater-oriented in shoreline areas unless it can be demonstrated that no other feasible option is available.
4. Do not allow new utilities where shoreline stabilization is required.
5. Ensure utilities and utility corridors locations do not obstruct or otherwise affect scenic views. Whenever feasible, such facilities should be placed underground or alongside or under bridges.
6. Locate transmission facilities for the conveyance of services, such as power lines, cables, and pipelines, outside of the shoreline area where feasible, and when necessarily located within the shoreline area, assure such facilities demonstrate no net loss of shoreline ecological function. Communication towers shall be prohibited in the shoreline area.

7. Discourage development of pipelines and cables on tidelands, particularly those running roughly parallel to the shoreline, and development of facilities that may require periodic maintenance which disrupt shoreline ecological functions and ecosystem-wide processes, except where no other feasible alternative exists. When permitted, provisions shall assure that the facilities do not result in a net loss of shoreline ecological functions and ecosystem-wide processes or significant impacts to other shoreline resources and values.

4.2.7.3 Policies – Accessory Utilities

1. On-site utilities and rights of way should be:
 - a. Located outside of the shoreline area to the maximum extent possible. When utility lines require a shoreline location, they should be placed underground.
 - b. Designed and located in a manner which preserves the shoreline ecology, water quality and the natural landscape to avoid and minimize adverse affects to shoreline ecological functions and ecosystem-wide processes, and minimizes conflicts with existing or planned land uses.

4.2.7.4 Regulations - Prohibited

1. The following uses associated with utilities shall be prohibited within shoreline jurisdiction:
 - a. New solid waste disposal sites and facilities;
 - b. Primary radio, cellular phone and microwave towers;
 - c. Utilities requiring withdrawal of water from streams, and
 - d. Primary power-generating facilities including solar power and wind generation that are not considered accessory structures in BIMC 18.09, except public facilities necessary to serve a public system, such as sewer lift stations or similar facilities which must be located within the shoreline area due to the system design of the existing public facility.
 - e. Land filling in shoreline jurisdiction for utility or utility line development purposes is prohibited.

4.2.7.5 Regulations - General

1. Primary utilities may be allowed as a conditional use in the Shoreline Residential Conservancy, Shoreline Residential, Urban, and Aquatic designations. They are prohibited in Natural, Island Conservancy and Priority Aquatic designations.
2. Utility development shall comply with required setbacks. (See Section 3.0, Shoreline Designation Policies and Regulations and Table 4-2.) Primary Utilities shall provide screening of facilities from water bodies and adjacent properties. Type of screening required shall be determined by the City on a case-by-case basis.
3. All utilities shall meet the height and setback standards in Table 4-2.

4. Utilities shall be located and designed so as to avoid the use of any shoreline stabilization or flood protection works.
5. Where utilities own rights-of-way in fee title, utility development shall, through coordination with local government agencies, provide for compatible, multiple use of sites and rights-of-way, provided such uses will not unduly interfere with utility operations, endanger public health and safety, or create a significant and disproportionate liability for the owner. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation.
6. Utility lines, such as transmission and distribution, shall:
 - a. Utilize existing rights-of-way, corridor and/or bridge crossings whenever possible and shall avoid duplication and construction of new parallel corridors in all shoreline areas. Proposals for new corridors or water crossings must fully substantiate the infeasibility of existing routes.
 - b. Be completely buried under the stream bed in all in-stream crossings except for appropriate water or sewage treatment plant intake pipes or outfalls.
 - c. Cross areas of shoreline jurisdiction by the shortest, most direct route feasible, unless such route would cause significant environmental damage.
 - d. Be designed to minimize impacts to scenic shoreline views and located where major facilities must be placed in a shoreline area-
7. Permitted crossings shall utilize pier or open pile techniques.
8. Clearing of native vegetation for the installation or maintenance of utilities shall be kept to a minimum. Upon project completion, disturbed vegetation areas shall be replanted according to the provisions of Section 4.1.3, Vegetation Management. Other disturbed areas shall be replanted with native or other approved species. Replanted areas shall be regularly maintained until established.

4.2.7.6 Regulations – Primary Utility Location and Design

4.2.7.6.1 Water Systems

1. Components of water systems which are not water-dependent shall be located outside shoreline jurisdiction, except waterlines serving shoreline uses or unless alternative locations, including alternative technology, are demonstrated to be infeasible to the Administrator and the facilities do not result in a net loss of shoreline ecological functions and processes or significant adverse impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resources.
2. Private and public intake facilities, and wells in the shoreline jurisdiction should be located where there will be no net loss in ecological functions and processes or adverse impacts upon shoreline resources, values, natural features, or other uses.

Construction and maintenance activities shall follow best management practices and meet provisions of Section 4.1.6, Water Quality and Stormwater Management.

3. Desalinization facilities shall be located consistent with critical area regulations and buffers in [Section 4.1.5, Critical Areas Appendix B](#), except for water-dependent components such as water intakes.

4.2.7.6.2 Sewage Systems

1. Sewage trunk lines, interceptors, pump stations, treatment plants and other components that are not water-dependent shall be located outside shoreline jurisdiction unless alternative locations, including alternative technology, are demonstrated to be infeasible to the Administrator and the facilities do not result in a net loss of shoreline ecological functions and processes or significant impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resources.
2. Outfall pipelines and diffusers are water-dependent, but should be located only where there will be no net loss in shoreline ecological functions and processes or adverse impacts upon shoreline resources and values.

4.2.7.6.3 Natural Gas Transmission

1. Natural gas pipelines, except local service lines, shall not be located in shoreline jurisdiction unless alternatives are demonstrated to be infeasible to the Administrator. Application materials shall include analysis of alternative routes avoiding aquatic lands and including alternative technology.
2. Natural gas local service lines shall not be located in shoreline areas unless serving approved shoreline uses. Crossings of water bodies shall not be approved unless alternatives are demonstrated to be infeasible to the Administrator. Application materials shall include an analysis of alternative routes avoiding aquatic lands, including an analysis of alternative technology.
3. Application for natural gas pipelines shall demonstrate that the facilities do not result in a net loss of shoreline ecological functions and processes or significant impacts to other shoreline resources and values.
4. Developers and operators of pipelines and related appurtenances for natural gas are to be required to demonstrate adequate provisions for preventing spills or leaks, as well as established procedures for mitigating damages from spills or other malfunctions and shall demonstrate that periodic maintenance will not disrupt shoreline ecological functions and processes.
5. Utilities for new development within the shoreline shall be installed underground.

4.2.7.6.4 Electrical Energy and Communication Systems

1. Energy and communication systems including substations, towers, transmission and distribution lines have critical location requirements, but are not normally

water-dependent. System components that are not water-dependent shall not be located in shoreline jurisdiction, except lines serving shoreline uses or unless alternatives are demonstrated to be infeasible to the Administrator. Application materials for such facilities shall include an analysis of alternative routes avoiding aquatic lands, including an analysis of alternative technology.

2. Underground placement of lines shall be required for new or replacement lines that are parallel to the shoreline, and do not cross water or other critical areas regulated in Section 4.1.5, Critical Areas ~~and defined in Appendix B~~, provided that maintenance of existing aerial lines may be permitted above ground where alternatives are demonstrated to be impractical and/or infeasible to the Administrator.
3. New or replacement lines that cross water bodies or other critical areas regulated in Section 4.1.5, Critical Areas ~~and defined in Appendix B~~, may be required to be placed underground depending on impacts on ecological functions and processes and visual impacts; provided that maintenance of existing aerial lines may be permitted above ground where alternatives are demonstrated to be impractical and/or infeasible to the Administrator.
4. Poles or other supports treated with creosote or other wood preservatives that may leach contamination in water shall not be used along shorelines or associated wetlands. No new overhead wiring shall be installed between the road and OHWM, where road rights-of-way or easements are within 150 feet and also are parallel to shoreline for more than 500 feet.
5. Utilities for new development within the shoreline shall be installed underground.

4.2.7.6.5 Tidal Energy

1. System components of tidal energy or tidal power-generating facilities which are nonwater-dependent shall be located outside shoreline jurisdiction unless alternative locations, including alternative technology, are demonstrated to the Administrator to be infeasible, and that the facilities do not result in a net loss of shoreline ecological functions and processes or significant adverse impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resource.

4.2.7.6.6 Fire Protection Facilities

1. Storage and handling facilities for water borne fire fighting or rescue equipment may be permitted on shoreline jurisdiction at locations which are demonstrated to the Administrator to be suitable considering the purpose of the proposal and the policies of this Program.

4.2.7.6.7 Other Essential Public Utility Facilities

1. Other utility processing facilities, such as power plants, that are nonwater-oriented shall not be allowed in shoreline jurisdiction unless no other feasible alternative is available.

4.2.7.6.8 *Site Coverage*

1. Maximum site coverage for utility development including parking and storage areas shall not exceed standards in the underlying zoning in BIMC Title 18, and shall not exceed fifty percent (50%) in Urban, and thirty-five percent (35%) in Shoreline Residential and Shoreline Residential Conservancy.

4.2.7.7 *Regulations – Accessory Utility Location and Design*

1. Accessory utility must be subordinate to principal use, such as utilities serving a residential use, and shall meet BIMC 18.09, Use Regulations, in addition to the provisions below.
 - a. Temporary storage of solid waste in suitable receptacles is permitted as an accessory use to a primary permitted use, or for litter control.
 - b. New residences or businesses on the shoreline within two hundred (200) feet of an existing sewer line and/or within an established sewer service area shall be connected to the sewer system. Existing residences shall be connected when the on-site sewage system has reached the end of its useful life.
 - c. On-site sewage systems shall be located on the landward side of any new residence or business or in a location approved by the Administrator and designed to meet all applicable water quality, utility, and health standards.
 - d. Accessory utilities shall be located outside of the shoreline area unless no suitable location is feasible. When utility lines require a shoreline location, they shall be placed underground.

5.0 SPECIFIC SHORELINE USE AND DEVELOPMENT POLICIES AND REGULATIONS

Introduction

This section contains policies and regulations for the following shoreline uses: agriculture, aquaculture, boating facilities, commercial development, forest practices, industrial development, mining, residential, recreational development, and residential development. The policies and regulations developed for each shoreline use, or category, are the primary set of criteria for evaluating proposed shoreline development. Some proposals will be subject to provisions of more than one use. Proposed development must also comply with Section 4.0, General (Island-wide) Policies and Regulations and Section 6.0, Shoreline Modification Policies and Regulations provisions.

While not all shoreline uses require a shoreline permit, no development shall be undertaken on the shorelines of Bainbridge Island except those which are consistent with the Shoreline Management Act (Act), applicable state guidelines, and the Master Program.

Shoreline uses which are not specifically identified shall be evaluated on a case-by-case basis for consistency with the Act and the requirements of the Master Program, and shall require a conditional use permit.

5.1 Agriculture

5.1.1 Applicability

These provisions apply to activities which are primarily commercial including cultivation of soil, production of crops, or the raising of livestock. Gardening activities primarily for on-site consumption and maintenance of household pets shall be considered accessory to residential uses.

5.1.2 Policies

1. Agriculture shall not be allowed in the shoreline jurisdiction.

5.1.3 Regulation - General

1. Agriculture is prohibited in the shoreline jurisdiction.

5.2 Aquaculture

5.2.1 Applicability

These provisions apply to the commercial cultivation and harvesting of fish, shellfish or other aquatic animals or plants, and also to non-commercial harvesting, and to the incidental preparation of fish and shellfish for human consumption, or cultivation for restoration purposes.

Aquaculture is dependent on the use of the water, and when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area. When properly managed, aquaculture can result in long-term over short-term benefit and can protect the resources and ecology of the shoreline. Aquaculture activities may be subject to the regulations found in Section 6.4, Dredging and Dredge Material Disposal, depending on site-specific circumstances. Aquaculture activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management; ~~and Appendix B, when applicable~~. Other portions of this Program may also apply.

5.2.2 Policies

1. Identify and encourage aquaculture activities which may provide opportunities for creating ecosystem improvements and result in no net loss of ecological functions.
2. Allow experimental forms of aquaculture involving the use of new species, new growing methods, or new harvesting techniques, when they are consistent with applicable state and federal regulations and this Program. Experimental aquaculture projects should be limited in scale and should be approved for a limited period of time. When feasible, limit or restrict new development and uses in areas that affect existing experimental aquaculture.
3. Aquaculture should not be permitted in areas where it would result in a net loss of ecological functions, adversely impact eelgrass or macroalgae, or significantly conflict with navigation and other water dependent uses.
4. Aquaculture facilities should be designed and located to not spread disease to native aquatic life, establish new non-native species which cause significant ecological impacts, or significantly impact the aesthetic qualities of the shoreline.
5. Impacts to ecological functions should be mitigated according to WAC 173-26-201(2) (e) and Section 4.1.2, Environmental Impacts.
6. Give preference to those forms of aquaculture that have less environmental and/or visual impacts. Preference is given to those projects that require fewer submerged or intertidal structures, fewer land-based facilities, limited substrate modification, and that don't rely on artificial feeding.
7. Ensure aquaculture does not cause cumulative impacts.

5.2.3 Regulations - Prohibited

1. Aquaculture is prohibited in the Natural and Priority Aquatic designations, except as provided in Section 5.2.4 (1), below.
2. Aquaculture that uses or releases herbicides, pesticides, antibiotics, fertilizers, parasites, pharmaceuticals, genetically modified organisms, feed or other materials known to be potentially harmful into surrounding waters is prohibited, unless:

- a. When conducted for native population recovery in accordance with government/Tribal approved plan and all state and federal regulations; or
 - b. If approved by all appropriate state and federal agencies and proof thereof is submitted to the City.
3. Mechanical and/or hydraulic harvesting or other activities that involve substantial substrate modification shall be prohibited in existing kelp beds or in beds of native eel grass (*Zostera marina*).

5.2.4 Regulations - General

1. Aquaculture may be allowed as follows:
 - a. Aquaculture as a conditional use in Shoreline Residential, Urban, and adjacent Aquatic designations.
 - b. Community Shellfish Gardens are allowed as a conditional use in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential, and Urban designations, and in adjacent Aquatic designations.
 - c. Individual Shellfish Gardens are allowed in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential and Urban shoreline designations and in adjacent Aquatic designation Priority B. They also are allowed in Aquatic Priority A when for the recovery of native populations, restoration, or personal use.
2. When a shoreline conditional use permit is issued for a new aquaculture use or development, that permit shall apply to the initial siting, construction, and/or planting or stocking of the facility or farm, and shall be valid for the period specified in the permit.
3. Aquaculture shall avoid:
 - a. A net loss of ecological functions or processes;
 - b. Adverse impacts to eelgrass and macro algae;
 - c. Significant conflicts with navigation and water-dependent uses;
 - d. The spread of disease to native aquatic life;
 - e. Establishing new non-native species that cause significant ecological impacts;
 - f. Significant impacts to shoreline aesthetic qualities; and/or
 - g. Significant modifications of the substrate.

5.2.5 Regulations – Design Standards

1. Floating and submerged aquaculture structures shall be located to avoid or minimize interference with navigation and the normal public use of the surface waters. Floating structures shall remain shoreward of principal navigation channels. Other restrictions on the scale of aquaculture activities to protect navigational access may be necessary based

on the size and shape of the affected water body. Netting and fencing shall be the minimum necessary to deter targeted predators and shall not exceed six (6) feet in height, as measured from water surface.

2. Aquacultural structures and activities that are not water-dependent (e.g., warehouses for storage of products, parking lots) shall be located landward of the OHWM, upland of water-dependent portions of the project, and shall avoid or minimize detrimental impacts to the shoreline.
3. Hatchery and other aquaculture operations shall be required to maintain a vegetated buffer zone along the affected stream as prescribed in [Section 4.1.5Appendix B](#), provided that clearing of vegetation shall be permitted for essential water access points.
4. Onshore support structures shall meet the height and setback standards established in Table 4-2, Site Development Dimensional Standards Table, except that reduced setbacks may be permitted through a shoreline variance where necessary for the operation of hatcheries and rearing ponds.
5. The following shall be limited to the minimum size or number necessary for approved aquaculture development, uses, and activities:
 - a. Submerged or intertidal structures.
 - b. Land-based facilities.
 - c. Structures which modify substrate.
6. Floating/hanging aquaculture facilities and associated equipment, except navigation aids, shall use colors and materials that blend into the surrounding environment in order to minimize visual impacts. All materials, including those used for incidental aquaculture for personal consumption, shall be marked with owners' contact information to provide identification after storm disturbance. All floating and submerged aquaculture facilities in navigable waters shall comply with all applicable state and federal requirements.
7. Floating aquaculture facilities may require a visual impact analysis consisting of information comparable to that found in the Department of Ecology's Aquacultural Siting Study (1986), as updated. Such analysis may be prepared by the applicant without professional assistance, provided that it includes an adequate assessment of impacts, as determined by the Administrator.
8. For aquacultural projects using over-water structures, storage of necessary tools and apparatus waterward of the OHWM shall be limited to containers of not more than three (3) feet in height, as measured from the surface of the raft or dock, provided that, in locations where the visual impact of the proposed aquaculture structures will be minimal, the City, based upon written findings and without requiring a variance, may authorize storage containers of greater height. In such cases, the burden of proof shall be on the applicant. Materials which are not necessary for the immediate and regular operation of the facility shall not be stored waterward of the ordinary high water mark. A temporary sanitation station may be allowed on fixed overwater pier structures when utilities are not available within a reasonable distance.

9. Shellfish Gardens for personal consumption are allowed on private lands provided the following can be met:
 - a. They comply with all state and federal regulations, including transfer and harvest permits required by WDFW.
 - b. The cultivation and harvesting is limited to native species of shellfish acquired from a licensed source consistent with state law; and
 - c. The operation may utilize bottom culture or off-bottom culture bags if in accordance with best management practices and it does not significantly alter the tidal bed.

5.2.6 Regulations – Operational Standards

1. Aquaculture structures and equipment shall be of sound construction and shall be so maintained. Abandoned or unsafe structures and equipment shall be removed or repaired promptly by the owner. Aquaculture operations that do not conform with this master program are considered discontinued if the use has ceased for a period of more than five (5) years.
2. Operational monitoring may be required if and to the extent that is necessary to determine, ensure, or confirm compliance with predicted or required performance, including periodic benthic analysis or noise pollution monitoring in accordance with BIMC Chapter 16.16. Such monitoring requirements shall be established as a condition of the permit and shall be conducted at the applicant's (operator's) expense.
3. No processing of any aquacultural product, except for the sorting or culling of the cultured organisms and the washing or removal of surface materials or organisms, shall occur in or over the water after harvest, unless specifically approved by permit. All other processing and processing facilities shall be located on land and shall be governed by these provisions and the policies and regulations of other applicable sections of the Master Program, in particular, provisions addressing commercial and industrial uses.
4. Aquaculture wastes shall be disposed of in a manner that will ensure compliance with all applicable governmental waste disposal standards. No garbage, wastes, or debris shall be allowed to accumulate at the site of any aquaculture operation [BIMC Chapter 8.16].
5. Predator control shall not involve the killing or abusive harassment of birds or mammals. Approved controls include, but are not limited to, double netting for seals, overhead netting for birds, fencing or netting for otters. The use of other nonlethal, non-abusive predator control measures shall be contingent upon receipt of written approval from the National Marine Fisheries Service and/or the U.S. Fish and Wildlife Service, as required.
6. All nets shall be maintained in accordance with all applicable state and federal requirements. If a state or federal permit is not required, cleaning of nets and other apparatus shall be accomplished by air drying, spray washing or hand washing, rather than chemical treatment and applications.

5.2.7 Commercial Geoduck Requirements

1. In addition to other provisions in Section 5.2, commercial geoduck aquaculture will be administered consistent with WAC 173-26-241(3)(b)(ii), (iii), and (iv). Where there is inconsistency between the provisions in 5.2.1, 5.2.2., 5.2.3, 5.2.4, 5.2.5, 5.2.6 or 5.2.7 and the geoduck provisions, the specific commercial geoduck provisions apply.
2. A conditional use permit is required for all new commercial geoduck aquaculture and conversions from existing non-geoduck aquaculture to geoduck aquaculture. CUPs for new commercial geoduck and conversions will be administered consistent with WAC 173-26-241(3)(b)(ii), (iii), and (iv).

5.3 Boating Facilities

5.3.1 Applicability

Boating facilities include marinas (both backshore and foreshore, dry storage, and wet moorage and open water types), boat launch ramps, covered moorage, marine railways, and marine travel lifts (Refer to Section 8.0, Definitions). Community, yacht club, camp, and resort moorage facilities must comply with boating facility requirements if they provide moorage for six (6) or more vessels. Both marina and non-marina boating facilities, including single-family, must comply with Section 4.0, General (Island-wide) Policies and Regulations, including the standards in Table 4-1 through 4-3, Section 3.0, Shoreline Designation Policies and Regulations, and Section 6.3, Overwater Structures. Boating facilities development will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

Accessory uses found in marinas may include fuel docks and storage, boating equipment sales and rental, repair services, boat launches, bait and tackle shops, potable water, waste disposal, administration, parking, and grocery and dry good shops. Uses which are not clearly accessory are also subject to the respective provisions in this section. (Examples might include commercial, industrial, or transportation facilities.)

Regulations governing boating activities in the bays and harbors of Bainbridge Island are contained in BIMC Chapters 12.24, Waterfront Park and Other City Harbors, and 12.40, Watercraft and Floating Homes, and may also apply. See Section 6.3.7.7 and 8, for regulations governing mooring buoys. Boating facility development and/or renovation shall comply with all other applicable state and federal agency policies and regulations including, but not limited to, the Department of Fish and Wildlife, Washington Department of Natural Resources, Federal Marine Sanitation standards (Environmental Protection Agency 1972) requiring water quality certification from the U.S. Army Corps of Engineers (33 USC § 403), U.S. Army Corps of

Engineers dredging standards (33 USC § 404), and state and federal standards for the storage of fuels and toxic materials.

5.3.2 Goal

Boating facilities, including marinas and boat launch ramps, are priority water-dependent uses and should be located, designed, and operated with appropriate mitigation to avoid and minimize adverse effects on shoreline functions and processes; prevent conflicts with navigation and other allowed uses; and provide public access and enjoyment of water of the state.

5.3.3 Policies

1. Locate new or expanding boating facilities only where suitable environmental conditions are present. Avoid:
 - a. Critical saltwater habitat, including kelp beds, eelgrass beds, spawning areas for forage fish (such as herring, surf smelt and sandlance);
 - b. Subsistence, commercial and recreational shellfish beds;
 - c. Mudflats or intertidal habitats with vascular plants;
 - d. Areas with which priority species have a primary association;
 - e. Areas which have been identified as hazardous due to storm tides, high winds, or flooding; and
 - f. Embayments with poor flushing action.
2. Design and locate boating facilities to minimize adverse effects upon shoreline processes such as erosion, littoral or riparian transport, and where feasible, enhance degraded, scarce, and valuable shore features including accretion shoreforms.
3. Design, locate, construct, and maintain boating facilities to:
 - a. Avoid adverse proximity impacts such as noise, light and glare; and
 - b. Assure that their structures and operations will be aesthetically compatible with the area visually affected, and will not unreasonably impair shoreline views from adjacent shoreline properties or the public's visual access to the shore;
 - c. Assure vegetation screening should be utilized to reduce visual impacts of associated parking and storage
4. Consider regional as well as local needs when determining the location of marinas and boat launches. Identify potential sites near high-use or potentially high-use areas.
5. Minimize displacement of limited shoreline resources by considering:
 - a. Expanding existing marinas over adding new marina sites;
 - b. Developing marinas and launch ramps over developing individual docking facilities for private, noncommercial pleasure craft; and

- c. Utilizing launching ramps and water-dependent dry storage or other new technologies over year-round wet-moorage.
- 6. Ensure the location and design of boating facilities does not unduly obstruct navigable waters, and avoids adverse effects to recreational opportunities or the use and enjoyment of the water or beach of adjoining properties.
- 7. Design, locate and construct new marina facilities to accommodate public access and enjoyment of the shoreline, including provisions for walkways, view points, restroom facilities, and other recreational uses according to the scale of the facility.
- 8. Encourage innovative construction techniques and methods of foreshore marinas to prevent degradation of fish and/or shellfish resources and habitat.
- 9. Require the installation and maintenance of sewage disposal (pump-out) facilities or services. These should be conveniently available to all users of marina facilities.
- 10. Prohibit floating houses. Allow live-aboard vessels only in those limited circumstances where their environmental and use impacts can be substantially avoided, minimized, or mitigated.
- 11. Ensure transient moorage is made available, with most of this need being met through use of short-term vacancies.
- 12. Work with the City Harbor Commission to establish regulations governing a uniform speed code, harbor safety, and harbor navigation through amendments to the municipal code.

5.3.4 Regulations - Prohibited

- 1. Boating facilities in the Shoreline Residential Conservancy, Island Conservancy, Natural, and Priority Aquatic designations, except that boating facilities may be permitted as a conditional use in public parks designated Island Conservancy.
- 2. Backshore marinas involving the creation of a basin for wet moorage.
- 3. Covered moorage.
- 4. Floating homes.

5.3.5 Regulations - General

- 1. Boating facilities, including marinas, shall be allowed as follows:
 - a. Boating facilities shall be permitted in the Urban designation and allowed as a conditional use in the Shoreline Residential designation.
 - b. Boating facilities in the Aquatic designation are allowed as-permitted in the adjacent upland designation pursuant to Table 4-2.
 - c. One (1) public open water moorage and anchorage area shall be a permitted in the Aquatic designation located in Eagle Harbor.

2. Accessory uses at a marina or public launch ramp shall be limited to those which are water-dependent, related to boating, necessary for marina operation, or which provide physical or visual shoreline access to a substantial numbers of the general public. Accessory uses shall be consistent in scale and intensity with the marina and/or launch ramp and surrounding uses.
3. All marina developments shall provide boater education addressing boater impacts on water quality and other shoreline resources, and boater safety and requirements for boater use of sewage pump-outs to their marina users.
4. Live-aboard vessels, including houseboats, shall be permitted only in marinas. No more than 10% of the surface area of a marina or 10% of its slips, whichever is less, shall be devoted to live-aboard vessels, including houseboats, except that the percentage of live-aboard vessels in marinas may be increased through an approved conditional use permit. [WAC 332-30-171 or its successor]

5.3.6 Regulations - Location

1. When new marina sites are considered, sufficient evidence must be presented to show there is a regional demand and existing marinas are inadequate and cannot be expanded to meet regional demand.
2. Marinas shall be sited to prevent any restrictions in the use of commercial and recreational shellfish beds or commercial aquaculture operations. The specific distance shall be determined in conjunction with the Washington State Department of Health Services, the Washington State Department of Ecology, and other agencies with expertise. Criteria for determining the specific distance may include:
 - a. The size and depth of the water body;
 - b. Tidal flushing action in the project area;
 - c. Size of the marina and projected intensity of use;
 - d. Whether fuel will be handled or stored;
 - e. Location of a sewer hook-up; and
 - f. Expected or planned changes in adjacent land uses that could result in additional water quality impacts or sanitary treatment requirements.
3. Marinas shall be allowed only on stable shoreline areas where water depth is adequate to eliminate or minimize the need for channel dredging (for construction or maintenance), soil disposal, filling, beach enhancement, and other harbor and channel maintenance activities.
4. Marinas shall be located only in areas where there is adequate water mixing and flushing and shall be designed so as not to reduce or negatively influence flushing characteristics.
5. Boating facilities shall not require fixed breakwaters.

6. Marinas shall be clearly separated from beaches commonly used for swimming and shall provided signage and provide protection measures to insure the safety of swimmers.
7. Marinas shall not be located at or along:
 - a. Significant littoral drift cells, including resource material areas, such as feeder bluffs and accretion beaches, barrier beaches, points, sand spits and hooks; or
 - b. Wetlands, marshes, bogs, swamps and lagoons; or
 - c. Mud flats and salt marshes; or
 - d. Fish and shellfish spawning and rearing areas.
8. Marinas shall not extend waterward farther than the following limits:
 - a. The Construction Limit Line or the Harbor Structure Limit Line as depicted in Appendix E; except the public open water moorage and anchorage areas shall be allowed waterward of the Construction Limit Line.
 - b. Where no limit line is depicted, not more than two hundred (200) feet beyond extreme low tide, the 18 MLLW depth contour, or the line of navigation whichever is closer to the shore. However, the distance from shore may be less in locations where it is necessary to protect the navigational rights of the public. [WAC 332-30-122(1)(ii) or its successor]

5.3.7 Regulations – Design/Renovation/Expansion

1. Proposals for marinas shall include public launch facilities unless the applicant can demonstrate that providing such facilities is not feasible.
2. Boating facilities shall be designed, constructed and maintained to:
 - a. Provide thorough flushing of all enclosed water areas and shall not restrict the movement of aquatic life requiring shallow water;
 - b. Minimize interference with geo-hydraulic processes and disruption of existing shore forms;
 - c. Be aesthetically compatible with existing shoreline features and uses;
 - d. Avoid adverse proximity impacts such as noise, light and glare;
 - e. Include vegetative screening for parking, and upland storage areas and facilities consistent with landscaping standards for parking lots as prescribed in BIMC Section 18.15.010, Development Standards and Guidelines; Landscaping, Screening, and Tree Retention, Protection, and Replacement; and
 - f. Include public restrooms, accessory parking or other recreational uses according to the scale of the facility.
3. Short-term loading/unloading areas and hand-launch storage areas may be located at ramps or near berthing areas and should be constructed of pervious material. Long-term

parking and dry moorage and all other storage areas shall be set back at a distance of one-hundred (100) feet from the OHWM.

4. Public access, both visual and physical, such as viewpoints or walkways, shall be an integral part of all marina design and development commensurate with the particular proposal and must meet the standards of Section 4.2.4, Public Access.
5. Innovative construction techniques and construction methods of foreshore marinas may be allowed when demonstrated to the satisfaction of the Administrator that the design will prevent degradation of fish migration, critical saltwater habitat and/or shellfish resources.

5.3.8 Regulations - Utilities

1. All marinas shall have accessible boat sewage disposal systems or other pump-out services available on site. Existing marinas shall comply within one (1) year of the effective date of this regulation.
2. The marina shall provide facilities for the adequate collection and dumping of marina originated materials, including but not limited to, sewage, solid waste, and petroleum waste.
3. All marinas shall provide restrooms for boaters' use, including upland or floating facilities supporting open water moorage and anchorage areas. Upland restrooms shall be located within seventy-five (75) feet of the landward end of the dock or pier and floating restroom facilities shall be located to conveniently serve the tenants. Restrooms shall be identified by signs and be accessible to tenants twenty-four (24) hours a day.
 - a. Marinas with fewer than ten (10) slips shall provide one (1) toilet and hand washing facility
 - b. Marinas with ten (10) to one hundred (100) slips shall provide one (1) toilet and hand washing facility for each gender.
 - c. Marinas exceeding one hundred (100) slips shall provide an additional toilet and lavatory for each gender
 - d. Existing marinas shall comply within one (1) year of the effective date of this regulation.
4. Distribution systems for plumbing and wiring at a marina site shall be placed at or below ground and dock levels, in accordance with national marine standards.
5. Public boat launch facilities shall provide and maintain at least one restroom or portable toilet; required number may increase based on projected level of service.
6. Public boat launch facilities that also include a public dock shall provide and maintain a dump station.

5.3.9 Regulations – Management and Operations

1. The discharge of sewage and/or toxic material from boats and/or shore installations is prohibited. The responsibility for the adequate and approved collection and disposal of marina originated sewage, solid waste, and petroleum waste is that of the marina operator. An emergency spill kit and use instructions shall be provided for tenants in an easy to access are and be accessible twenty-four (24) hours a day.
2. Commercial fish or shellfish processing discharge or discarding of unused bait, scrapfish, or viscera shall be prohibited.
3. Swimming shall be prohibited within marina facilities unless the swimming area is adequately separated, protected, and posted.
4. If dredging at marina entrances changes the littoral drift processes and adversely affects adjacent shores, the marina operator shall be required to periodically replenish these shores with the appropriate quantity and quality of aggregate as determined by a geo-hydraulic study, paid for by the operator or owner and completed to the satisfaction of the Administrator.
5. Temporary vacant moorage spaces shall be made available for “transient moorage” (less than two-week stay) when at least one of the following applies:
 - a. The marina is owned, operated, or franchised by a governmental agency for use by the public;
 - b. The marina provides more than three thousand (3,000) lineal feet of moorage; or
 - c. The marina is part of a mixed-use development which includes restaurants or other water-enjoyment uses.
6. Additional transient moorage requirements may be established for Eagle Harbor in the Winslow Master Plan.
7. Marina operators shall execute a lease, contract, or deed which establishes permission to use a slip for a stated period of time and which establishes conditions for use of the slip, including the requirement that all boats meet applicable sanitation regulations.
8. Live-aboard vessels must comply with all marine regulations, policies and procedures of the Coast Guard, federal and state governments which pertain to health, safety and/or environmental protection. Proof of seaworthiness of the vessel and the adequacy of the mooring arrangement must be provided and laws governing all the citizens of Bainbridge Island must be obeyed.
9. New marinas shall meet the following before occupancy, and existing marinas shall comply with the following within one (1) year from adoption of this program:
 - a. Marinas which dispense fuel shall have adequate facilities and establish posted operational procedures for fuel handling and storage to prevent/minimize accidental spillage.

- b. Marinas shall have facilities, equipment, such as emergency spill kits, and established posted procedures for containment, recovery, and mitigation of spilled petroleum, sewage, and toxic products.
- c. Marina operators shall post signs where they are readily visible to all marina users describing regulations:
 - i. Pertaining to handling and disposal of waste, wastewater, toxic materials, and recycling;
 - ii. Prohibiting the use of marine toilets (i.e., no untreated sewage discharge);
 - iii. Prohibiting the disposal of fish and shellfish cleaning wastes; and
 - iv. Describing best management practices (BMPs) for boat maintenance and repairs on site.
- d. Garbage or litter receptacles shall be provided and maintained by the marina operator at several locations convenient to users in sufficient numbers to properly store all solid waste generated on site.
- e. Marina docks shall be equipped with adequate lifesaving equipment such as:
 - i. Life rings, hooks, ropes and ladders, or equivalent, on the end of fingers; and/or
 - ii. One ladder (per side) either every one hundred (100) linear feet of the dock, or every six (6) slips whichever is greater. This regulation does not apply to a float which is less than one hundred (100) feet from a shoreline; or
 - iii. At least one ladder to serve a float with six (6) or more slips and is one hundred (100) linear feet in length or less.

5.3.10 Regulations – Boat Launches (includes marine railways)

5.3.10.1 Regulations - Prohibited

- 1. Boat launches are prohibited in
 - a. Significant littoral drift cells, including resource material areas such as feeder bluffs and accretion beaches, points, spits and hooks; except for a public launch as provided for in section 5.3.10.2(2).
 - b. Wetlands, marshes, bogs, swamps, and lagoons;
 - c. Mud flats and salt marshes; and
 - d. Fish spawning and rearing areas and commercial or recreational shellfish areas.

5.3.10.2 Regulations – Design and Location

- 1. Launch ramps shall be:

- a. Located on stable shorelines where water depths are adequate to eliminate or minimize the need for:
 - i. Offshore or foreshore channel construction dredging; or
 - ii. Maintenance dredging; or
 - iii. Spoil disposal; or
 - iv. Filling; or
 - v. Beach enhancement; or
 - vi. Other harbor and channel maintenance activities.
 - b. Located in areas where there is adequate water mixing and flushing; and
 - c. Designed so as not to retard or negatively influence flushing characteristics.
2. For public launch ramps, innovative or hinged boat launches may be permitted on marine accretion shoreforms, provided that continual grading is not required. When grading is permitted it must not adversely affect ecological functions and ecosystem-wide processes. Accessory facilities shall be located out of critical areas.
 3. Public boat launches may be allowed on stable banks where current deflectors or other stabilization structures will not be necessary.
 4. Boat launches shall not be permitted where the upland within twenty-five (25) feet of the OHWM has a slope that exceeds twenty-five percent (25%) grade and/or where substantial cutting, grading, filing, or defense works is necessary.
 5. Boat launches, minor accessory buildings, and haul-out facilities shall be designed to be in character and scale with the surrounding shoreline.
 6. Boat launches shall be built from flexible, hinge-segmented pads which can adapt to changes in beach profiles, unless a solid structure is demonstrated to be more appropriate for the intended level of use.
 7. Boat launches shall be placed and kept near flush with the foreshore slope to minimize the interruption of geo-hydraulic processes and critical saltwater habitat.
 8. Marine railways for boat launching shall be located the minimum distance necessary above existing grade to minimize impact on littoral drift and navigation along the shoreline.
 9. Boat launch facilities shall be clearly separated from beaches commonly used for swimming and shall provide signage and provide protection measures to insure the safety of swimmers.

5.4 Commercial Development

5.4.1 Applicability

Uses associated with commercial development which are identified as separate uses in the Master Program are also subject to those regulations. Examples are industry, boating facilities,

transportation facilities, and utilities. Commercial development and related shoreline modification activities, such as piers, docks, and bulkheads, will be reviewed under the no net loss provision of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 3.0, Shoreline Designation Policies and Regulations, including the standards in Tables 4-1 through 4-3. Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, as applicable. Other portions of this Program may also apply.

5.4.2 Policies

1. Design and operate commercial uses, activities, and developments to avoid or minimize adverse impacts to ecological functions and ecosystem-wide processes. Encourage restoration of impaired ecological functions and ecosystem-wide process as mitigation for commercial development.
2. Give priority to those commercial developments that are dependent on shoreline locations or that allow a substantial number of people to actively or passively enjoy the shoreline; preference should be given to water-dependent uses, over water-related and water-enjoyment uses.
3. Discourage non-water-oriented commercial uses unless the use contains a mix of commercial and residential development that also includes either a public use benefit (open space, shoreline access, recreation), or a water-enjoyment commercial use.
4. Prohibit commercial developments over water unless the use is water-dependent and requires overwater development.
5. Locate new commercial development in shoreline areas with existing, compatible commercial uses and in a manner that will promote infill.
6. Provide physical or visual access to the shoreline as part of all new commercial development. Existing development should be required to provide public access amenities when building improvements are proposed. Incentives should be provided for commercial use proposals to include additional public amenities
7. Ensure commercial development is aesthetically and acoustically compatible with the surrounding areas.
8. View protection, both to the water and from the water, should be considered in the design and review of commercial development.

5.4.3 Prohibited

1. Nonwater-oriented commercial uses, except as provided in Section 5.4.4.

5.4.4 Regulations- General

1. Commercial uses should be located on shorelines with existing compatible commercial uses and regulated in the shoreline designations as follows:
 - a. Water-oriented commercial use and development shall be permitted in the Urban designation-and may be allowed under a conditional use permit in the Shoreline Residential designation.
 - b. Water-dependent commercial development that requires an over-water location may be permitted in the Aquatic designation when permitted in the upland environment.
 - c. Nonwater-oriented commercial uses are prohibited in the shoreline except as provide in d. or as follows:
 - i. As a conditional use in the Urban designation when located on a site physically separated from the shoreline by another property in separate ownership or by a public-right-of-way such that water access is precluded, provided that the property conditions were lawfully established prior to the effective date of this Program; and
 - ii. As a permitted use if located in a mixed-use development in the Urban designation as subordinate to a more dominant water-oriented commercial, residential or recreational use contained in the same development, and which also provides significant public benefit amenities such as public open space or recreation, public access, or shoreline restoration.
 - iii. The requirements of this section shall not apply to those nonwater-oriented commercial uses located on a site physically separated from the shoreline where access to the land/water interface is precluded.
 - d. Water-Oriented and non-water oriented commercial uses may be permitted in a mixed-use development within the Mixed Use Town Center districts provided:
 - i. The site is physically separated from the shoreline by another property in separate ownership or by a public-right-of-way such that water access is precluded, provided that the property conditions were lawfully established prior to the effective date of this Program; and
 - ii. Water-oriented commercial or non-water oriented commercial development is subordinate to the residential use.
2. A use or development shall not be considered water-dependent, water-related or water-enjoyment until the Administrator makes the determination that the proposed design, layout and operation of the use or development meets the definition and intent of the water-dependent, water-related or water-enjoyment designation.
3. Where commercial development is allowed, it shall be located, designed and constructed in a manner that minimizes adverse impacts to shoreline resources and shall include

mitigation to ensure no net loss of shoreline ecological functions and processes pursuant to Section 4.1.2, Environmental Impacts.

4. New commercial development and redevelopment shall provide public access in conformance with the Public Access requirements of Section 4.2.4.
5. When permitted, proposals that include nonwater-oriented commercial uses shall provide a significant public benefit in addition to any required public access, as follows:
 - a. Additional public access in the form of unrestricted open space. The Administrator shall determine the amount of access on a case-by-case basis in accordance with the provisions of Section 4.2.4, Public Access – Visual and Physical.
 - b. If no water-oriented commercial uses are located on or adjacent to the water as part of a mixed use development, eighty percent (80%) of the shoreline and associated buffers shall be preserved or restored to provide shoreline ecological functions and processes that approximate the functions provided by the site in natural conditions.
 - c. The requirements in regulation (a) and (b) may be modified when:
 - i. The site is designated as a public access area by a shoreline public access plan, in which case public access consistent with that plan element shall be provided; or
 - ii. Specific findings are made demonstrating that the size of the parcel and the presence of adjacent uses preclude restoration of shoreline ecological functions and processes. Where on-site restoration is infeasible, equivalent off-site restoration shall be provided consistent with the policies and regulations of this Program.
 - d. Where restoration is proposed, buffers shall be designed as appropriate to protect shoreline resources based on a specific restoration plan and may differ from the standard buffer dimensions provided in Table 4-3, provided that the building envelope for the proposed nonwater-oriented use shall be based on current site conditions.

5.4.5 Regulations – Design and Location

1. The design and location of commercial facilities shall meet the following:
 - a. Those portions of the commercial development which are accessory to and not considered water-dependent and/or do not require direct contact with the water shall be set back from the shoreline at a sufficient distance to minimize impacts to water quality, to other shoreline uses and to the shoreline as a scenic view. (See Section 3.0, Shoreline Designations Policies and Regulations, Section 4.1.6, Water Quality and Stormwater Management, and Dimensional Standards Table 4-2.)

- b. Water-dependent commercial development shall be designated and operated to promote joint-use of overwater and accessory facilities such as:
 - i. Piers;
 - ii. Docks;
 - iii. Storage;
 - iv. Restrooms; and
 - v. Parking.
- c. When demonstrated, to the satisfaction of the Administrator, not to be feasible the requirements of Section 5.4.5 (1)(a) and (b) may be reduced in scope or waived.

5.5 Forest Practices

5.5.1 Applicability

Forest Practices are primarily regulated by the Washington Department of Natural Resources under WAC Title 222 or its successor pursuant to the Forest Practices Act (RCW 76.09 or its successor). This section supplements those regulations. Activities which are not regulated under the Forest Practices Act are subject to clearing and grading provisions in Section 4.1.4, Land Modification. Forest Practices are subject to Section 3.0, Shoreline Designation Policies and Regulations, Section 4.0, General (Island-wide) Policies and Regulations, and Section 6.0, Shoreline Modification Policies and Regulations of this Program. Forest Practices and related activities will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, and BIMC Chapter 16.22, Vegetation Management, when applicable. Other portions of this Program may also apply.

5.5.2 Policies

1. Rely on the Forest Practices Act and rules implementing the act and the Forest and Fish Report as adequate management of commercial operations within the shoreline jurisdiction.
2. Ensure timber harvesting is conducted in a manner that does not cause adverse impacts to shoreline ecological functions or ecosystem-wide processes and avoids impacts to navigation, recreation, and public access.
3. Limit timber harvesting in all shoreline areas to selective cutting which protects the shoreline as a scenic value. Shorelines having outstanding scenic or habitat qualities should be left in a substantially natural condition.
4. Accomplish revegetation in shorelines as quickly as possible in accordance with the provisions of the Forest Practices Act. Provisions for forest conversion proposals (Class IV Permits regulated under the Forest Practices Act and locally) are in Section 4.1.3.4, Vegetation Management; Regulations – Exceptions of this Program.

5.5.3 Regulations - General

1. Under the authority of planning and zoning granted to the city under RCW 76.09.240, the city of Bainbridge Island considers all forested areas within its jurisdiction as “lands with a likelihood of future conversion” from forest use as defined under WAC 222-16-060.
2. Conversion of forest land to non-forestry uses (Class IV – General Forest Practice Permit) shall be reviewed in accordance with the provisions for the proposed non-forestry use and the provisions in the Shoreline Master Program and shall be subject to any permit requirements associated with the non-forestry use.
 - a. Timber harvesting shall not be permitted until local plat approval or other applicable land use authorization has been given, and any required shoreline permits have been issued for the land division(s) or intended use(s).
3. All timber harvesting and forest practices except conversions conducted with a Class IV— General permit shall comply with the current rules and regulations adopted under the Forest Practices Act and the Timber, Fish, and Wildlife agreement or their successors.
4. Timber harvesting and forest practices conducted under a Class II, III, or IV Special permit from the Department of Natural Resources shall not be regulated by this Program and shall not require a shoreline permit. These permit categories shall only be authorized for lands that meet the definition DNR forestland, including any policies of DNR relating to proximity of structures to hazard trees.
5. Site preparation by burning and scarification piles shall be prohibited within shoreline jurisdiction.
6. When timberland is to be converted to another use, such conversion shall be clearly indicated on the Forest Practices application. Failure to indicate the intent to convert the timberland to another use on the application will result in subsequent conversion proposals being reviewed as conditional use applications. Such failure to declare intent to convert on the application may provide adequate grounds for denial of subsequent conversion proposals for a period of six (6) years from the date of the Forest Practices application approval, [RCW 76.09.060(3)(b)(i) or its successor].
7. Commercial timber cutting within the shoreline jurisdiction shall be by selective harvest and shall not exceed thirty percent (30%) of the merchantable trees in any ten-year period as required by WAC 222-30-110.

5.6 Industrial Development

5.6.1 Applicability

Industrial development, uses and activities that are identified as separate uses but associated with industrial development or use, are subject to the following provisions; Examples include transportation facilities, utilities, dredging, landfill, piers and docks, and bulkheads. Industrial development-will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, Section 3.0, Shoreline Designation Policies and Regulations, and may also be reviewed

under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0 Shoreline Modification Policies and Regulations; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

5.6.2 Policies

1. Review new industrial proposals with consideration of regional and state-wide needs for industrial facilities, as well as in allocating shorelines for such development. Coordinate with port districts, adjacent counties and cities and the state in order to minimize new industrial development that would unnecessarily duplicate under-utilized facilities elsewhere in the region, or result in unnecessary adverse impacts on other jurisdictions.
2. Encourage expansion or redevelopment of existing, legally established industrial areas, facilities, and services with the possibility of incorporating mixed-use development in lieu of the addition and/or location of new or single-purpose industrial facilities.
3. Strongly encourage joint use of piers, cargo handling, storage, parking and other accessory facilities among private or public entities in waterfront industrial areas.
4. Design and locate industrial development to avoid or minimize adverse impacts to ecological functions and ecosystem-wide processes.
5. Require new industrial development to provide physical and/or visual access to shorelines and visual access to facilities whenever possible, when such access does not cause significant interference with operations or hazards to life and property.
6. Preference should be given to locating new industrial development on those parts of the shoreline where industrial development is already permitted. Industrial uses and redevelopment are encouraged to locate where environmental cleanup and restoration can be accomplished.
7. Limit new industrial uses to existing industrial or water dependent commercial sites, such as marinas, where that use is consistent with the shoreline designation. Preferred industrial sites should be limited to water-oriented uses, and should encourage the development of preferred industrial uses, such as small boat haul-out and repair facilities, vessel fueling facilities and water-oriented industry serving local boating needs.
8. Discourage nonwater-oriented uses unless the use is located in a mixed-use development containing a public use benefit such as open space or recreation use, and includes a water-oriented commercial use.

5.6.3 Regulations – Prohibited

1. Storage and/or disposal of industrial wastes within shoreline jurisdiction.
2. Log storage in water.
3. Nonwater-oriented industrial development.

5.6.4 Regulations - General

1. Water-dependent industry shall be permitted in the Urban designation, and those portions of the Aquatic designation which are waterward of the Urban designation, and shall be prohibited in all other designations. Water-related industry shall be a conditional use in the Urban designation and prohibited in all other designations. Nonwater-oriented industry shall be prohibited in all designations.
2. Where industrial development is allowed, it shall be located, designed and constructed in a manner that minimizes adverse impacts to shoreline resources and shall include mitigation to ensure no net loss of shoreline ecological functions and ecosystem-wide processes.
 - a. Water-dependent industrial uses, such as small boat haul-out and repair facilities, or vessel fueling facilities, shall be given preference over water-related and water-enjoyment industrial and port uses.
 - b. A use or development shall not be considered water-dependent, water-related or water-enjoyment until the Administrator makes the determination that the proposed design, layout and operation of the use or development meets the definition and intent of the water-dependent, water-related or water-enjoyment designation.
3. Proposed industrial development shall be consistent with any applicable comprehensive waterfront and/or long-range harbor development plans, and should be coordinated with applicable adopted regional and state plans.
4. New industrial development shall be compatible with existing adjacent uses of the shoreline designation in which it is located.
5. Proposed industrial development shall:
 - a. Be located to maximize the use of legally established, existing industrial facilities; and
 - b. Be located in areas where environmental cleanup and restoration can be accomplished; and
 - c. Avoid duplication of pier and dock facilities before expanding into undeveloped areas or building new facilities.
6. Water-related industrial development shall be set back from the OHWM a sufficient distance to avoid disturbance of the Shoreline Buffer or Shoreline Vegetation Management Area. (See and Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3 Vegetation Management; and Tables 4-1 through 4-3, for dimensions.)
7. Accessory industrial development which does not require a location at or near the water's edge shall be located upland of the water-dependent portions of the development, and outside of the Shoreline Buffer or Vegetation Management Area as established in Section 4.0, General (Island-wide) Policies and Regulations and Table 4-3.

8. New industrial development that includes offshore facilities, floating docks and deep-water port expansion, shall be permitted by conditional use permit, and only when it can be demonstrated that:
 - a. Such development is fundamental for the allowed industrial operation; and
 - b. Such development results in no net loss of shoreline ecological functions or ecosystem-wide processes.
9. At new or expanded port and/or industrial developments the best available facilities practices and procedures, as specified by state and local agencies, shall be employed for the safe handling of fuels and toxic or hazardous materials to prevent them from entering the water, and optimum means shall be employed for prompt and effective clean-up of those spills that do occur.

5.6.5 Regulations - Design and Location

1. The design and location of industrial facilities shall meet the following:
 - a. Those portions of the industrial development that are accessory to and not considered water-dependent and/or do not require direct contact with the water shall be set back from the shoreline at a sufficient distance to minimize impacts to water quality, to other shoreline uses and to the shoreline as a scenic view. (See Section 3.0, Shoreline Designation Policies and Regulations; Section 4.1.6, Water Quality and Stormwater Management; and Tables 4-1 through 4-3.)
 - b. Industrial facilities shall be designed and operated to promote joint use of over-water and accessory facilities, whenever practicable, such as:
 - i. Piers
 - ii. Docks
 - iii. Storage
 - iv. Restrooms; and
 - v. Parking.
 - c. Consistent with provisions in Section 4.2.4, Public Access – Visual and Physical, ports and/or water-dependent industry shall provide public access to the shoreline.
 - d. Documentation of compliance with noise standards of BIMC 16.16.
2. Display and other exterior lighting shall be designed and operated to minimize glare impacts to nearby properties and local traffic, and shall meet the lighting standards of BIMC Section 18.15.040.

5.6.6 Regulations – Ship and Boat Building and Repair Yards

1. Boatyards and mobile services shall employ best management practices (BMPs) concerning the various services and activities performed and to address potential impacts on the surrounding water quality. Standards for BMPs shall be found in the Washington

State Department of Ecology’s most recent editions of the “*Boatyard General Permit, National Pollution Discharge Elimination System (NPDES)*” and the “*Storm Water Pollution Prevention Plan for Facilities Covered Under the Boatyard General Permit*”.

5.7 Mining

5.7.1 Applicability

Mining is the removal and primary processing of naturally occurring materials from the earth for economic use. For purposes of this definition, “processing” includes screening, crushing, stockpiling, all of which utilize materials removed from the site where the processing activity is located. Mining activities also include in-water dredging activities related to mineral extraction. Processing does not include general manufacturing, such as the manufacture of molded or cast concrete or asphalt products, asphalt mixing operations, or concrete batching operations.

5.7.2 Policies

1. Mining is prohibited within the shoreline jurisdiction.

5.7.3 Regulations - General

1. Mining, including the excavation of sand, gravel, and other minerals, shall be prohibited within the shoreline jurisdiction.
2. Impacts to shorelands and water bodies due to mining operations upland of the shoreline jurisdiction shall be minimized and meet “no net loss” provisions of Section 4.1.2, Environmental Impacts.

5.8 Recreational Development

5.8.1 Applicability

These provisions apply to recreational development, not to casual use of undeveloped open space. They also apply to both publicly- and privately-owned facilities intended for use by the general public, private clubs, groups, associations, or individuals. Recreational development will be reviewed under the “no net loss” provisions of Section 3.0, Shoreline Designation Policies and Regulations; Section 4.0, General (Island-wide) Policies and Regulations; Tables 4-1 through 4-3; Section 4.1.2, Environmental Impacts; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, Chapter 16.16 Noise Impacts and BIMC Section 18.15.040 Lighting Impacts, when applicable. Other portions of this Program may also apply.

5.8.2 Goal

Provide substantial recreational opportunities for the public along the shoreline and manage the development of recreational uses to assure that shoreline ecological functions and ecosystem-wide processes are not adversely impacted.

5.8.3 Policies

1. Recognize public recreation on public lands as a preferred use of the shoreline. Water-dependent recreational uses, such as swimming, boating and fishing, are priority uses and should be encouraged.
2. Encourage the coordination of local, state, and federal recreation planning to mutually satisfy recreational needs. Shoreline recreational developments should be consistent with all adopted park, recreation, and open space plans.
3. Encourage a variety of compatible recreational experiences and activities to satisfy diverse recreational needs. The location and design of shoreline recreational development should relate to local population characteristics, density, and special activity demands. Acquisition priorities should consider these needs, demands, and special opportunities, as well as public transit access and access for the physically impaired, where planned or available.
4. Identify shoreline areas with potential for recreation or public access. Acquire identified areas through lease, purchase, or easement, and incorporate these areas into the public park and open space system.
5. Where feasible, link shoreline parks, recreation areas, and public access points as linear systems, such as hiking paths, bicycle paths, easements, and/or scenic drives.
6. Locate, design and operate recreational development to facilitate appropriate use of shoreline resources while also conserving those resources by minimizing adverse impacts to ecological functions and ecosystem-wide processes. Design recreational development to preserve, enhance or create scenic shoreline views and vistas.
7. Where appropriate, passive recreational uses may be permitted in floodplain areas.
8. Encourage the use of shoreline road-ends and publicly-owned lands for public shoreline access and promote the development of shoreline recreational opportunities in suitable areas.
9. Limit or prohibit shoreline use of off-road recreational vehicle or recreational water equipment, such as jet skis and wake boards, where needed to protect the ecological functions or ecosystem-wide processes of the shoreline or protect sensitive wildlife habitat areas.
10. Ensure all recreational developments make adequate provisions for:
 - a. Vehicular and pedestrian access, both on-site and off-site;
 - b. Proper wastewater and solid waste disposal methods;

- c. Security and fire protection;
 - d. The prevention of overflow and trespass onto adjacent properties, including but not limited to, landscaping, fencing, posting of property and screening (through native vegetation or shoreline buffers) of such development from adjacent private property.
11. Ensure trails and pathways on landslide hazard areas are located, designed, and maintained to protect bank stability.
 12. Protect and restore publicly-owned natural resource areas located within the shoreline area and include public access and public use as appropriate for the particular resource area.
 13. Promote shoreline conservation through acquisition, preservation, and rehabilitation of important natural areas and manage natural areas of public shoreline parks to protect and restore ecological functions, values and features.
 14. Use best management practices and low impact development technologies in the construction, maintenance or renovation of recreational grounds or facilities of public shoreline parks.
 15. Incorporate opportunities for educational and interpretive information regarding shoreline ecological functions and ecosystem-wide processes in the design and operation of public recreation facilities and other amenities such as nature trails.

5.8.4 Regulations – Prohibited

1. Motorized vehicular access on all beaches and spits, except at approved boat launching facilities (Section 5.3, Boating Facilities).
2. Golf courses in the Natural designations.
3. Golf course fairways which cross streams.
4. Use of fertilizers, pesticides, or other toxic chemicals is prohibited unless an exception is provided pursuant to Section 4.1.6, Water Quality and Stormwater Management.
5. The use of jet skis and similar recreational equipment shall be prohibited in the Priority Aquatic Categories A and B designations.

5.8.5 Regulations - General

1. Water-oriented recreational development is a priority use of the shoreline, and the primary focus shall be to provide access to and enjoyment of the water and shorelines of the state and shall be consistent with the development regulations for the shoreline designation in which it occurs. Valuable shoreline resources and fragile or unique areas such as marshes, bogs, swamps, estuaries, wetlands, and accretion shoreforms (such as sand spits or accretion beaches), shall be used only for passive and nondestructive recreational activities.

- a. Active water-oriented recreational uses shall be consistent with the shoreline designation in which it is being proposed and shall be permitted in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential, Urban, and Aquatic designation. Active recreational development is prohibited in the Priority Aquatic designation; however, vessels shall be allowed:
 - i. As provided in BIMC 12.40.060; or
 - ii. In Priority Aquatic Category B when:
 - A. Operated at 5 knots or less or such that a wake is not created; and
 - B. Operated at a noise decibel that does not cause adverse impact to wildlife.
 - b. Recreational development to accommodate passive (non-intensive) water-dependent and/or water-oriented recreational or educational uses shall be allowed as a conditional use in the Natural designation, except public trails and public stairways are permitted as a shoreline substantial development or shoreline exemption, when designed to minimize adverse environmental impacts in accordance with Section 4.1.2 Environmental Impacts.
 - c. Passive recreational development shall be allowed in the Priority Aquatic designation;
2. Water-oriented recreational use and/or development shall be allowed when the proponent demonstrates that it will not result in a net loss of shoreline ecological functions or processes or have adverse impacts on other shoreline uses, resources and/or values such as navigation and public access, and will provide mitigation in accordance with Section 4.1.2, Environmental Impacts.
3. Activities provided by recreational facilities must have a substantial relationship to the shoreline, or provide physical or visual access to the shoreline. Facilities for water-dependent recreation such as fishing, clamming, swimming, boating, and wading, and water-related recreation such as picnicking, hiking, and walking should be located near the shoreline, while non-water-related recreation facilities shall be located upland.
 - a. Within the Natural Designation a single active use area shall be allowed with appropriate compensatory mitigation to accommodate water oriented and non-water oriented cultural events and water related passive recreational uses near the log pond at Blakely Harbor Park, as shown in Appendix E.
4. Recreational development on the shoreline shall provide physical or visual public access consistent with this Program, and Section 4.2.4, Public Access – Visual and Physical.
5. Recreational development on the shoreline shall protect existing shoreline vegetation consistent with this Program, and Section 4.1.3, Vegetation Management.
6. The City shall consult applicable state and local health regulations when issuing shoreline permits for recreational facilities (Title 248 WAC or its successor).

7. Recreational development is required to comply with local and regional recreation plans and link to linear open space, recreational, or scenic systems as provided in the State Comprehensive Outdoor Recreation Planning (SCORP) document, Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation, and Open Space Plan, the City of Bainbridge Island's Winslow Master Plan, and the City of Bainbridge Island's Non-Motorized Transportation Plan.
8. The use of motor vehicles including unlicensed off-road vehicles is permitted only on roads and trails specifically designated for such use. Such use is prohibited on tidelands, backshore beaches, streams, or wetlands, except as necessary for public health and safety or maintenance or as provided in Section 5.8.7(1), Regulation-Operations (1), below.

5.8.6 Regulations – Design and Location

1. Recreational development shall be located, designed and constructed to maintain, enhance, or restore scenic views, aesthetic values, and public access, as appropriate. Through the site planning and permit review process, the City may adjust and/or prescribe project dimensions or location of on-site project components, intensity of use, screening, parking requirements, and setbacks as deemed appropriate to meet the recreational needs of the project and the standards of this Program.
2. Recreational developments shall provide vehicular access and parking in accordance with Section 4.2.3, Parking, and shall provide facilities for non-motorized access to the shoreline, such as bicycle and/or pedestrian paths, as prescribed in the City's Non-Motorized Transportation Plan.
3. Shoreline trails and pathways shall be located, designed, constructed and maintained to protect bank stability.
4. All permanent active recreational structures and facilities shall be located outside officially mapped floodplains and floodways. Passive recreation structures, such as picnic tables, benches, viewing platforms may be allowed provided mitigation is provided.
5. Substantial accessory use facilities, such as restrooms, recreation halls and gymnasiums, commercial services, across roads and parking areas, shall be set back from the OHWM according to Table 4-2. These areas may be linked to the shoreline by walkways.
6. Trails utilized for motorized vehicles, including golf carts, shall be set back two hundred (200) feet from OHWM, unless these are combined with a public access trail system. If combined with a public access trail, trails shall be located at least one hundred (100) feet from OHWM.
7. The removal of on-site vegetation shall be limited to the minimum necessary for recreational development areas and pursuant to Section 4.1.3, Vegetation Management.
8. Recreational buildings or structures shall not be built over water, except as provided in Section 5.3, Boating Facilities, and Section 6.0, Shoreline Modification Policies and Regulations.

9. Proposals for recreational development shall include adequate facilities for water supply and sewage and garbage disposal and recycling commensurate with the intensity of the proposed use. Where sewage treatment facilities are not available, the appropriate reviewing authority shall limit the intensity of development to meet local and state on-site sewage disposal requirements. On-site sewage disposal systems shall be located landward of the development, unless not feasible due to site or development constraints and provided that the location is on-site disposal system is consistent with requirements of the reviewing and permitting authority.
10. Recreational facilities shall incorporate appropriate mitigation to minimize light and noise impacts on adjacent and nearby public and private property through the use of screening, native vegetation, fences, signs and related measures.
11. Recreational proposals for publicly-owned shoreline parks shall provide the following:
 - a. Recreational development and activities shall provide appropriate public recreational opportunities and promote the ecological restoration of the shoreline environment. Public shoreline areas are intended to provide access to, and enjoyment and use of the water and shorelines while conserving ecological functions and processes, and protecting shoreline resources and fragile areas.
 - b. Best management practices (BMPs) and low impact development (LID) techniques shall be incorporated into the design, construction, and operation of public recreation proposals in order to reduce erosion impacts and prevent harmful concentrations of chemicals and sediments from entering water bodies and meet the standards of Section 4.1.6, Water Quality and Stormwater Management.
 - c. Educational and historical interpretation specific to the site's shoreline ecology and local history shall be incorporated into the design and operation of a public shoreline recreational development through site amenities such as interpretive signs or other amenities.

5.8.7 Regulations – Operations

1. Operation of motorized vehicles, including utility and maintenance vehicles, shall only be allowed in designated areas specifically designed for vehicular use.
2. The use of jet skis and similar recreational equipment shall be restricted in critical saltwater habitat areas.
3. A chemical management plan designed to eliminate the possibility of damage to riparian vegetation, wildlife, and surface and ground water quality shall be prepared and implemented for golf courses located in shoreline jurisdiction.
4. Recreational fires in commercial uses, public parks and common areas shall only be allowed in accordance with Fire Code regulations in Title 20.12, Burning Restrictions, and within designated barbeque\fire pits, which shall be designed and spaced to facilitate

the control of fires both within recreational facilities, between adjacent properties, and on public lands.

5.8.8 Regulations – Golf Courses – Design & Location

1. Golf courses shall be a conditional use requiring both a conditional use permit and a substantial development permit in the upland shoreline designations of Island Conservancy, Residential Conservancy, Residential, and Urban designations.

5.9 Residential Development

5.9.1 Applicability

All development in the shoreline jurisdiction must comply with the Shoreline Management Act (Chapter 90.58 RCW or its successor) and the Master Program. While an individual owner-occupied, single-family residence and its “normal appurtenances” are exempt from the requirement that a Shoreline Substantial Development Permit (SSDP) be obtained from the local government (WAC 173-27-040, or its successor), it must comply with this section and other provisions of the Master Program. Subdivisions and short plats must also comply with all applicable provisions.

Residential development, when permitted by BIMC Title 18, Zoning, and this Master Program, will be reviewed under the “no net loss” provisions of Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.2, Environmental Impacts; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater; Section 4.2.4, Public Access, 4.2.7 Utilities Primary; ~~Appendix B~~; and Accessory. Other portions of this Program may also apply.

5.9.2 Goal

Promote residential development opportunities along the shoreline that are consistent with controlling pollution and preventing damage to the natural environment, recognizing that single-family residential development is a priority use in the shoreline and that impacts to other shoreline priority uses such as, shoreline views, aesthetics, and access, should be considered and minimized.

5.9.3 Policies

1. Consider single-family residential use as a priority use in the shoreline. Develop single-family residences in a manner consistent with producing no net loss of shoreline functions or ecosystem-wide processes, and in conformance with the requirements of this Shoreline Master Program.
2. Locate residential development where there are suitable provisions for utilities, circulation and access, and require development to be designed to:
 - a. Maintain or improve shoreline ecological functions and ecosystem-wide processes to assure no net loss;

- b. Provide building setbacks;
 - c. Be visually compatible with adjacent cultural and shoreline features, reasonable in size and purpose;
 - d. Preserve and enhance shoreline vegetation;
 - e. Protect water quality;
 - f. Control erosion and provide stormwater management; and
 - g. Preserve shoreline open space, views from the shoreline, and vistas of the shoreline, and provide ample open space in side setbacks to preserve views from both the land and water.
3. Ensure the overall density of development, location of structures and access, lot coverage, and height are consistent with Bainbridge Island Comprehensive Plan goals and policies, the provisions of BIMC Title 18, Zoning, and this Program. Development should be appropriate to the physical capabilities and characteristics of the site.
 4. Restrict the development of side yards in order to preserve vegetation between developments, mitigate the effect of a “wall” of structures along the shoreline, and enhance public and private view potential.
 5. When waterfront properties are divided, ensure common access to the water is provided to all resulting lots.
 6. Prohibit new residential development and accessory uses from locating in critical areas including critical saltwater habitat, wetlands, steep or unstable slopes, floodways, migratory routes and marine vegetation areas.
 7. Ensure existing legally established overwater residences do not increase intensity of use.
 8. Configure new residential land subdivisions within the shoreline to:
 - a. Prevent the loss of shoreline ecological functions and ecosystem-wide processes at full build-out of the subdivision;
 - b. Reduce the impacts to shoreline processes by preventing the need for new shoreline stabilization or flood hazard reduction measures;
 - c. Maintain waterfront areas for the common use of all property owners within the development, and,
 - d. If creating more than four lots, provide public access to the shoreline, and minimize individual docks and promote community docks.
 9. Ensure new multi-family residential development provides public access to the shoreline.
 10. Promote residential development that includes measures to protect existing native vegetation and/or restore vegetation along shorelines. Conservation measures should require that residential development avoid, minimize, mitigate, or restore shoreline vegetation functions and achieve no net loss of shoreline ecological functions and ecosystem-wide processes. Vegetation conservation may include avoidance or

minimization of clearing or grading, restoration of shoreline vegetation, and/or control of invasive or non-native vegetation.

11. For new residential development and alterations to existing residential development, use non-regulatory methods when possible to protect, enhance, and restore shoreline ecological functions and ecosystem-wide processes and other shoreline resources. Such methods may include voluntary alternatives to address impacts to shoreline ecological functions and ecosystem-wide processes, low impact development techniques, voluntary protection and enhancement projects, habitat management planning, education, or other incentive programs. Such programs must be supported by current scientific and technical information, as described in WAC 173-26-201(2)(a).

5.9.4 Regulations - Prohibited

1. New overwater residential development, including floating homes.
2. New land subdivision that would require shoreline stabilization [WAC 173-26-231(3)(a)(iii)(A)].
3. Increase in intensity, including height or bulk, for any existing legally established overwater residence, or for those portions of a residence that are located over the water.
4. New accessory dwelling units in the Point Monroe District.

5.9.5 Regulations - General

1. Residential development shall be permitted in the Shoreline Residential, Shoreline Residential Conservancy, and Urban designations; shall be conditional uses in the Island Conservancy designation; and shall be prohibited in the Natural, Aquatic, and Priority Aquatic designations.
2. Multifamily development shall be permitted in the Shoreline Residential and Urban designations, and prohibited in the Shoreline Residential Conservancy, Island Conservancy and Natural designations.
3. Accessory dwelling units shall be allowed as a conditional use in the Shoreline Residential Conservancy Shoreline Residential and Urban designations and prohibited in the Point Monroe District, Natural designation, and Island Conservancy designation.
4. Land subdivision, consistent with BIMC Title 17, is permitted in the Shoreline Residential, Shoreline Residential Conservancy, and Urban designations, and shall be allowed as a conditional use in the Natural and Island Conservancy designations.
5. Residential development shall meet setback and height standards in Table 4-2 and dimensional provisions of BIMC Title 18, Zoning.

6. Residential development shall meet all provisions of the Section 4.1.2, Environmental Impacts, such that the development results in “no net loss” to shoreline environmental functions and processes.
7. The buffer dimensional requirements in Table 4-1 of this Program shall apply to residences and appurtenances, except when a site-specific analysis is provided in accordance with Section 4.1.3, Vegetation Management, or for new development proposed for the Point Monroe District, which shall meet vegetation requirements of Section 4.1.3.5(9), Vegetation Management; Special Provisions for Point Monroe District. Residential development shall retain and protect existing native vegetation, or restore and enhance native vegetation according to the Vegetation Management and Land Modification provisions of Sections 4.1.3 and Section 4.1.4.
8. Side setbacks, except in the Urban designation and the Point Monroe District, shall total at least thirty percent (30%) of the lot width. Side setback requirement for the Point Monroe District shall total at least fifteen percent (15%) of the lot width. These yards shall remain free of buildings and impervious surfaces as described below.
 - a. Building. The minimum side setback shall be established by BIMC Title 18, Zoning. Setbacks for each accessory building shall conform to the side setbacks required of, or established by, the primary residential building. Structures in the side setbacks may not exceed four feet in height from existing grade, except that fences on the side property line may have an additional two feet (2') of non-screening material for a total of six feet (6'). Approved Shoreline Stabilization measures may be installed within the side setbacks.
 - b. Impervious Surfaces. No more than a total of two hundred (200) square feet of impervious surface is allowed in the side yard setback outside of the Shoreline Standard Buffer, Site-specific Vegetation Management Area or Point Monroe Vegetation Management Area.
 - c. Average Lot Width Measurement. In determining allowed setback for this subsection, lot width shall be measured as depicted BIMC Chapter 18.12, Dimensional Standards.
9. All residential development shall meet BIMC Chapter 15.20, Surface and Storm Water Management, and Section 4.1.6, Water Quality and Stormwater Management of this Program.
10. Home occupations meeting the criteria of BIMC Title 18 shall be considered a residential use.

5.9.6 Regulations – Primary Residential Design and Location

1. Residential Development, except in the Point Monroe District (5.9.6 (2)) below, shall follow the provision for Shoreline Exemptions pursuant to the Shoreline Master Program Administrative Section, BIMC Section 2.16.165, and shall:

- a. Be located and designed to avoid the need for shoreline stabilization and flood protection works for the life of the structure, as provided for in Section 6.2.9 Shoreline Stabilization; Regulations – Subdivisions and Section 4.1.7, Flood Hazard Management.
 - b. Be located and designed to protect existing ecological function in accordance with Section 4.1.2, Environmental Impacts, and Section 4.1.3, Vegetation Management, and use low impact development techniques of Section 4.1.6.6(3) to:
 - i. Minimize area of disturbance as provided in Section 4.1.4, Land Modification; and
 - ii. Minimize soil compaction; and
 - iii. Infiltrate stormwater runoff when the site is suitable for infiltration.
 - c. Provide a stormwater conveyance that is designed according to the provisions of Section 4.1.6, Water Quality and Stormwater Management.
 - d. Be located to protect existing views from primary structures on adjacent properties.
 - i. Primary Structures shall meet the provisions for structure setback line as provided in Section 4.1.3, Vegetation Management, and shall follow the provisions for Shoreline Exemption permit in the Shoreline Master Program Administration Section of BIMC Section 2.16.165.
 - e. Designed to provide a physical separation to reinforce the distinction between public and private space. Including but not limited to:
 - i. Providing vegetation screening in a landscape plan approved by the Administrator and developed in accordance with requirements in Section 4.1.3, Vegetation Management, and BIMC Section 18.15.010, Development Standards and Guidelines; Landscaping, Screening and Tree Retention, Protection, and Replacement.
 - ii. Providing an open space setback recorded on plat or title; or
 - iii. Fencing or other means.
2. **Special Provisions for Point Monroe District** – Primary and Accessory Structures. Residential development within the Point Monroe District shall follow the provisions for Shoreline Exemption permit in BIMC 16.12 Part VII, Shoreline Master Program Administration, and shall meet provisions of subsection 5.9.6(1)(a)-(c)&(e) and the following:
- a. Each lot is permitted a development area that is intended to accommodate the primary residence, garage, accessory structure, parking and driveway that does not exceed fifty percent (50%) of the upland lot area, up to a maximum development area of

fourteen hundred (1400) square feet. On-site septic systems may be located outside of this development area.

- b. All new primary structures shall be located a minimum of thirty feet (30') from the OHWM.
- c. Stabilization and flood protection works may be allowed provided the need is demonstrated as specified in Section 6.2.8.1 or 6.2.8.2, Shoreline Stabilization, and 4.1.7, Flood Hazard Management.
- d. Overwater structures may be allowed pursuant to Sections 4.1.2, Environmental Impacts and 6.3.4, in Overwater Structures.

5.9.7 Regulations – Accessory Design and Location

- 1. Except in the Point Monroe District, accessory uses and structures proposed within the Shoreline Buffer or site-specific vegetation management areas shall meet the standards of Section 4.1.3, Vegetation Management.
 - a. Accessory structures allowed in the Shoreline Buffer in Table 4-1 shall follow the provision for a Shoreline Exemption in the Shoreline Master Program Administration, BIMC Section 2.16.165.
- 2. In the Point Monroe District accessory structures, except approved docks or shoreline stabilization, shall be located a minimum of fifteen feet (15') from the OHWM.

5.9.8 Regulations – Residential Subdivisions (Single-Family and Multifamily, including ADU)

- 1. Subdivision of properties in water designations, Aquatic and Priority Aquatic, shall be regulated the same as the adjacent upland.
- 2. Land subdivision shall be designed to assure future development will not require shoreline stabilization for one hundred (100) years from date of submittal as demonstrated by a geotechnical report.
- 3. All new subdivisions shall provide for vegetation management to mitigate cumulative impacts of intensification of use and open space to assure establishment and continuation of a vegetation community pursuant to Section 4.1.3, Vegetation Management.
- 4. Accessory dwelling units are conditional uses for all lots wholly or partially within the shoreline jurisdiction.
- 5. New subdivisions or all multifamily residential developments shall provide a community recreation and/or open space area for the benefit of all residents or property owners in the development; provided that, such provisions shall not apply to lot line adjustment, lot consolidation, and subdivision of land into four (4) or fewer lots.
- 6. New subdivisions or all multifamily residential development of less than four (4) lots and shall provide a common physical or visual access for the benefit of all residents or property owners in the development, which also-meets the provisions of No Net Loss in

Sections 4.1.2, Environmental Impacts. An access easement shall be recorded on the face of the plat or title report.

- a. If one or more dwelling unit exists prior to the division of land or further residential development, the feasibility of providing a common access shall be determined by the Administrator.
7. New or altered residential developments of more than four (4) dwelling units adjacent to the waterfront, shall dedicate, improve, and maintain public access area sufficient to ensure usable access to the shoreline for all residents of the development and the general public. The amount and configuration of public access shall depend on the proposed use(s), provisions in Section 4.2.4, Public Access – Visual and Physical, and the following criteria:
 - a. Subdivisions within the shoreline jurisdiction that have views of water areas shall provide a public pedestrian viewing area.
 - b. Subdivisions adjacent to public waterways and marine waters shall provide visual and physical access to public waterways, public marine waters, and public tidelands that are physically accessible at low tide or low water.
 - c. Subdivisions subject to requirements for dedication of land to provide open space or mitigate recreation demands of the development shall dedicate such land on or adjacent to public waterways or marine shorelines, as applicable, unless the ecological sensitivity of such land precludes public access. Portions of the dedicated area may be fenced or otherwise restricted to limit public access to ecologically sensitive areas.

5.9.9 Regulations – Residential Development Overwater

1. Live-aboard vessels, shall be allowed only at marinas or in the public open water marina in Eagle Harbor in accordance with Section 5.3, Boating Facilities.
2. All subdivisions shall record a prohibition on new single use private docks on the face of the plat. Shared moorage with less than 6 slips shall meet provisions for community docks in Section 5.3, Boating Facilities. Shared moorage with six (6) or more slips shall meet provisions in Section 5.3
3. An existing overwater primary residential use may continue, and the structure may be repaired, maintained, increased in height and remodeled in accordance with Section 4.2.1, Nonconforming Uses, **Nonconforming Structures, and Nonconforming Lots** ~~Non-Conforming Lots, and Existing Development~~ **Nonconforming Structures, Uses** but the use may not be intensified and the overwater structure may not be enlarged or expanded over water.
4. The upland portion of an existing primary residential structure that is partially located over water may be repaired, maintained, remodeled or expanded to the extent allowed by this program and in accordance with Section 4.2.1. ~~6.37.2, Existing Structures~~

~~Residential Single-Family: Primary Structure~~ Nonconforming Structures – Residential Single-Family: Primary Structures.

6.0 SHORELINE MODIFICATION POLICIES AND REGULATIONS

6.1 General Shoreline Modification Provisions

6.1.1 Applicability

Shoreline modifications are generally related to construction of a physical element such as residential development, a dike, bulkhead, dredged basin, pier or fill, but they can include other actions such as clearing, grading, application of chemicals, or vegetation removal. Shoreline modifications usually are undertaken in support of or in preparation for a shoreline use; for example, fill (shoreline modification) required for a ferry terminal (industrial use) or dredging (shoreline modification) to allow for a marina (boating facility use).

The provisions in this section apply to all shoreline modifications within the shoreline jurisdiction. They also apply to projects in which the chief intent is to protect the shoreline of a particular property for which the permit applies such as shoreline stabilization, flood control projects, and flood control programs. Shoreline modification proposals will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts; Section 4.0, General (Island-wide) Policies and Regulations; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.7, Flood Hazard Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

6.1.2 Goal

Manage shoreline modifications and flood protection to avoid, minimize or mitigate adverse impacts and assure that individually and cumulatively, shoreline modifications do not result in a net loss of ecological function.

6.1.3 Policies

1. Allow structural shoreline modifications only where it is demonstrated to be necessary to support or protect an allowed primary structure and primary appurtenances, or a legally existing principal use that is in danger of loss or substantial damage or are necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.
2. Reduce the adverse effects of shoreline modifications and, as much as possible, limit shoreline modifications in number and extent.
3. Allow only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed.

4. Give preference to those types of shoreline modifications that have a lesser impact on ecological functions and ecosystem-wide processes. Require mitigation of identified impacts resulting from shoreline modifications.
5. Plan for the enhancement of impaired ecological functions and ecosystem-wide processes where feasible and appropriate while accommodating permitted uses. As shoreline modifications occur, incorporate all feasible measures to protect ecological shoreline functions and ecosystem-wide processes
6. Avoid and reduce significant ecological impacts according to the mitigation sequence in Section 4.1.2.6.
7. Ensure shoreline modification projects provide for long-term multiple use and shoreline public access, where appropriate.
8. Ensure natural features such as snags and stumps which support fish and other aquatic systems, and which do not intrude on navigational uses or threaten other permitted uses, are left undisturbed except in cases of an approved beach stabilization project.

6.1.4 Regulations – Prohibited Uses

1. Shoreline modifications in or adjacent to wetlands (located in both the upland and the shoreline jurisdiction) and in salmon and trout spawning areas, except for fish or wildlife habitat enhancement.
2. Beach enhancement when it interferes with the normal public use of the navigable waters of the state.
3. Shoreline Modification located on feeder bluffs, except when the area is already developed with a primary residential structure, an essential public facility or transportation facility, in which case stabilization may be allowed pursuant to the provisions in Section 6.2, Shoreline Stabilization.

6.1.5 Regulations - General

1. A pre-application meeting shall be required prior to submitting an application for a replacement, repair or new shoreline modification project.
2. All shoreline modification activities must be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage, except shoreline stabilization may be allowed as a shoreline use provided it can be demonstrated that it is necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.
3. All applicable federal and state permits, including the Army Corps of Engineers and the Washington Department of Fish and Wildlife, Washington Department of Natural Resources shall be obtained and complied with in the construction and operation of shoreline stabilization and flood protection works.
4. All new development activities, including additions to existing structures, shall be located as allowed in Section 4.1.5.~~7, Regulations—Geologically Hazardous Areas or Appendix~~

~~B~~, and located or designed to prevent the need for shoreline stabilization for the life of the development or one hundred (100) years, whichever is greater.

5. All new, replacement, and repair modification activities shall be limited to the minimum footprint necessary to protect an allowed primary structure or legally existing shoreline use.
6. All applications for new, replacement and repair modification activities shall examine and implement alternatives as specified in their specific use sections.
7. All applications for new, replacement and repair modification activities shall be designed, located, sized, and constructed to assure no net loss of ecological functions and processes pursuant to Section 4.1.2, Environmental Impacts.
8. Shoreline stabilization shall be designed in a manner that minimizes:
 - a. Scouring of the beach at the toe of the structure; and
 - b. Erosion of the waterward beach; and
 - c. Impact to adjacent properties; and
 - d. The need for mitigation measures.
9. Upon project completion, all disturbed shoreline areas shall be restored and replanted pursuant to Section 4.1.2.5, Regulations – Revegetation Standards.
10. Publicly financed or subsidized works should provide for long-term multiple use and public pedestrian shoreline access.

6.2 Shoreline Stabilization

6.2.1 Principles

Shorelines are by nature unstable, although in varying degrees. Erosion and accretion are natural processes that provide ecological functions and thereby contribute to sustaining the ecology of the shoreline. Human use of the shoreline has typically led to hardening of the shoreline for various reasons including, reducing erosion, providing useful space at the shore, or for access to docks and piers. The impacts of hardening on any one property may be minimal, but cumulatively the impact of this type of shoreline modification is significant.

Shoreline hardening typically results in adverse impacts to shoreline ecological functions and habitat degradation, such as:

- Starvation and/or impoundment of beach sediment which diminishes longshore sediment transport;
- Loss of shoreline vegetation and large woody debris;
- Ground water and hydraulic impacts; and
- Exacerbation of erosion.

There are nonstructural and structural methods of shoreline stabilization. Nonstructural methods include building setbacks, relocation of the structure to be protected, groundwater management, and planning and regulatory measures to avoid the need for structural stabilization. Structural stabilization methods can be “hard” or “soft”. “Hard” structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads, while “soft” structural measures rely on less rigid materials, such as bioengineering vegetation or beach enhancement. Generally, the harder the construction measure the greater the impact on shoreline processes, such as sediment transport, geomorphology, and biological functions.

The range of non-structural and structural measures varying from soft to hard:

“Soft”

- Upland drainage control;
- Vegetation enhancement;
- Beach enhancement;
- Bioengineering measures;
- Anchor trees; and
- Gravel placement.

“Hard”

- Rock revetments;
- Gabions;
- Groins (rock or concrete);
- Retaining walls and bluff walls;
- Bulkheads; and
- Seawalls.

6.2.2 Applicability

Shoreline stabilization includes actions taken to address erosion impacts to property and dwellings, businesses, or structures resulting from natural processes, such as currents, flood tides, wind, or wave action. These actions include structural and nonstructural methods. Nonstructural methods include building setbacks, relocation of the structure to be protected, ground water management, and planning and regulatory measures to avoid the need for structural stabilization. The provisions of this section apply to the construction, replacement and repair of structures intended to stabilize shorelines for protection of primary structures and primary appurtenances from shoreline erosion caused by wind, waves, and currents. For this section, repair, replacement and new stabilization are defined in Section 8.0, Definitions. Even when exempt from the shoreline substantial development process, however, these structures must comply with all applicable Master Program regulations. A statement of exemption, shoreline conditional use, or shoreline substantial development permit must be obtained from

the City before commencing construction of any shoreline stabilization. All proposed shoreline stabilization will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts; Section 4.0, General (Island-wide) Policies and Regulations; Section 4.2.1 ~~Non-Conforming Development~~ Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots; Section 6.1, Shoreline Modification and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B~~; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

6.2.3 Policies

1. Discourage shoreline stabilization, particularly “hard” structural stabilization, through application of appropriate shoreline designations, development standards, and public education.
2. Design, locate, size and construct new, repaired or replacement shoreline stabilization to minimize and mitigate adverse impacts on shoreline ecological functions and shoreline ecosystem-wide processes. An evaluation of the proposal should consider causes and effects of erosion, including upland erosion, and beach dynamics, such as sediment conveyance, geo-hydraulic processes and ecological relationships, and address these on a reach-specific basis.
3. Design and locate new development, including the creation of new lots, in a manner that prevents the need for shoreline stabilization and armoring.
4. Permit structural shoreline stabilization only when it has been demonstrated that shoreline stabilization is necessary for the protection of existing legally established primary structures, principal uses or public improvements in danger of loss, and when it can be demonstrated that there are no alternative options to the proposed shoreline stabilization that have less impact on the shoreline environment.
5. Allow existing “hard” shoreline stabilization structures to be replaced if there is a demonstrated need to protect the principal use or primary structure from erosion and the replacement structure is designed, located, sized and constructed to assure no net loss of ecological functions and ecosystem-wide processes.
6. Give preference to those types of shoreline stabilization that have a lesser impact on ecological functions and ecosystem-wide processes. To protect ecological functions and ecosystem-wide processes, alternatives to shoreline stabilization should be considered and be based on the following sequencing of solutions:
 - a. Avoidance (allow the shoreline to retreat naturally, increase building setbacks or relocate structures);
 - b. Flexible defense works constructed of natural materials including, “soft” shore protection, bioengineering, beach nourishment, protective berms or vegetative stabilizations;

- c. Combination of “soft” and structural “hard” shoreline stabilization or hybrid design measures, which excludes structural stabilization below the ordinary high water mark;
 - d. “Hard” structural stabilization or rigid works constructed of artificial materials, such as riprap or concrete;
- 7. Select materials used for construction of shoreline stabilization for long term durability, ease of maintenance and compatibility with local shore features, including aesthetic values and flexibility for future uses.
- 8. Ensure that publically financed or subsidized shoreline stabilization measures do not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions or ecosystem-wide processes. Where feasible, incorporate ecological restoration and public access improvements into the project.
- 9. Avoid shoreline stabilization that is constructed waterward of feeder bluffs.
- 10. Encourage neighboring property owners within an entire drift cell or shoreline reach to coordinate planning and development of shoreline stabilization or other solutions to avoid erosion of down-drift properties and to address ecological and geo-hydraulic processes, sediment conveyance, and beach management.
- 11. Where feasible, remove any failing, harmful, unnecessary or ineffective structures and restore shoreline ecological functions and ecosystem-wide processes consistent with the priorities of an ecosystem-wide restoration plan, and replace structures using shoreline stabilization measures that result in less impact to ecological functions and ecosystem-wide processes.
- 12. Encourage non-structural stabilization using non-regulatory methods to protect, enhance and restore shoreline ecological functions and ecosystem-wide processes, and other shoreline resources. Non-regulatory methods should include incentive programs to utilize low impact development techniques and encourage habitat/resource planning, voluntary enhancement and restoration projects, or programs that provide technical assistance and education to shoreline property owners.
- 13. Promote shoreline stabilization that incorporates beach restoration or enhancement in accordance with the restoration provisions of Section 4.1.8, Shoreline Restoration and Enhancement, and this Program.

6.2.4 Regulations – Prohibited

- 1. Gabions, groins, vertical, concave, and flat (hard) faced structures not including near-vertical rock riprap bulkheads in shoreline stabilization construction. Sheet pile style hard stabilization may be allowed for remediation and hybrid shoreline stabilization projects in accordance with Section 6.2.5.
- 2. Revetments for any purpose unless part of a public facilities project.

3. Construction of a bulkhead, revetment, or other structure for the purpose of retaining a landfill or creating dry land; unless it is proposed in conjunction with an approved commercial or industrial water-dependent use or public use.
4. Shoreline stabilization proposed on shores where valuable geo-hydraulic or biological processes are sensitive to interference or critical to shoreline conservation, such as: feeder bluffs; barrier estuaries, barrier lagoons, wetlands; or accretion shore forms such as sand spits, hooks, bars, or barrier beaches. Except that stabilization proposals to protect a primary single-family residence, primary appurtenance or primary public or transportation facilities, may be allowed on feeder bluffs and spits provide provisions of this Program are met.
5. The use of hard structural stabilization or the hard portions of hybrid stabilization intended to protect a vacant platted lot or to protect a developed lot where a primary structure or primary appurtenance is not in danger from erosion as demonstrated through a geotechnical report.
6. Stabilization that would cause significant impacts to adjacent or down current properties.

6.2.5 Regulations - General

1. All shoreline stabilization proposals shall meet applicable provision of Section 6.1, Shoreline Modifications, and assurance of no net loss of ecological functions and processes, Section 4.1.2, Environmental Impacts.
2. Soft-treatment stabilization shall be used to the maximum extent feasible.
3. New or replacement shoreline stabilization measures are a conditional use for the following:
 - a. Proposed shoreline stabilization is adjacent to a feeder bluff.
 - b. The nearest adjacent existing shoreline stabilization is greater than one hundred (100) feet of the subject property.
 - c. Sheet pile style hard stabilization may be used in:
 - i. Remediation projects to contain contaminated soils or sediments when demonstrated to the satisfaction of the Administrator to be the most appropriate solution; or
 - ii. Hybrid stabilization when used as a stop-gap measure at or near extreme high water.

6.2.6 Regulations – Location and Design of Shoreline Stabilization

1. Shoreline stabilization shall not be approved in any known or probable midden site without the written permission of the Director of the State Office of Archaeology and Historic Preservation (the State Historic Preservation Officer) (RCW 27.53.060 or its successor).

2. On all shorelines, hard structural stabilization or hard portions of hybrid stabilization shall be located landward of the OHWM. Other structural stabilization shall be located landward of protective berms (artificial or natural), and generally parallel to the natural shoreline except as allowed below:
 - a. On high bluffs where no other shoreline stabilization structures are adjoining, hard structural stabilization or hard portions of hybrid stabilization shall be as close to OHWM as feasible to accommodate the design of the shoreline stabilization. However, a revetment footing may extend waterward only the minimum extent necessary to dissipate wave energy.
 - b. Shoreline stabilization shall connect flush with existing stabilization on adjoining properties, except when the action will create dry land, in which case the location requirements of the above shall apply.
 - c. Soft-treatment stabilization may be permitted waterward of the OHWM if the stabilization measures provide restoration of shoreline ecological functions and processes.
3. Hard structural stabilization, including hard portions of hybrid stabilization, shall be limited to the areas of the site where the stabilization is demonstrated to be necessary, according to Section 6.2, Shoreline Stabilization.
 - a. When allowed on feeder bluffs, hard structural stabilization, including hard portions of hybrid stabilization shall be located landward of the OHWM.
 - b. Hard structural stabilization, including hard portions of hybrid stabilization located in a shoreline area that does not include a feeder bluff, shall be constructed landward of the ordinary high water mark and shall follow the natural contours of the shoreline; unless it is demonstrated to the satisfaction of the Administrator to be infeasible to locate the entire hard structural stabilization landward.
4. Replacement stabilization structures may be constructed in the same location if placement landward of OHWM is infeasible as demonstrated to the satisfaction of the Administrator.
5. Shoreline stabilization shall be designed to allow the passage of surface or ground water without causing ponding or saturation of retained soil materials and meet the following design criteria:
 - a. The size and quantity of the material shall be limited to only that necessary to withstand the estimated energy intensity of the hydraulic system;
 - b. Filter cloth or adequate smaller filter rock shall be used to aid drainage and help prevent settling; and
 - c. Provide adequate toe protection to ensure future mitigation or hard structural stabilization measures are not required.
6. Revetments shall be sited and designed consistent with appropriate engineering principles. Professional, geologic, site studies or design shall be required.

7. When a hard structure is required at a public access site, provision for safe access to the water shall be incorporated into the design for stabilization.
8. Stairs or other permitted upland structures may attach to existing hard structural stabilization, but shall not extend waterward, unless it is demonstrated to the satisfaction of the Administrator to be infeasible to locate the entire stairway landward.
9. Overwater structures may attach to existing hard structural stabilization.
10. Hard shoreline stabilization construction shall utilize stable, non-erosion prone, homogeneous materials such as concrete, wood, rock riprap, or other suitable materials which will accomplish the stabilization needs with the maximum preservation of natural shoreline characteristics. See Section 4.1.6, Water Quality and Stormwater Management for additional provisions related to material.

6.2.6.1 Regulations – Location Specific for Replacement of Hard Structural Stabilization

1. Replacement of hard structural stabilization shall not encroach waterward of the OHWM or waterward of the existing shoreline stabilization measure unless the primary structure requiring protection was constructed prior to January 1, 1992, and there is overriding safety or environmental concerns if the stabilization measure is moved landward of the OHWM. In such cases, the replacement structure shall be constructed to abut the existing shoreline stabilization structure. All other replacement structures shall be located landward of the existing shoreline stabilization structure.

6.2.7 Regulations – Repair of Existing Shoreline Stabilization

1. The Administrator shall allow repair or maintenance of soft-treatment stabilization.
2. Repair of existing structural stabilization shall be allowed as follows:
 - a. Existing shoreline stabilization which no longer adequately serves its intended purpose shall be considered a replacement.
 - b. Damaged structural stabilization may be repaired up to fifty percent (50%) of the linear length within a Five (5) year period. Repair area that exceeds fifty percent (50%) shall be considered a replacement. Stabilization repair applications shall consider cumulative approvals of each successive application within a five year period
 - c. Stabilization repairs may require mitigation pursuant to Section 4.1.2, Environmental Impacts.

6.2.8 Regulations – New or Replacement Shoreline Stabilization

1. When evaluating the need for new, expanded or replacement stabilization measures, the applicant shall provide an analysis from a qualified professional that examines and implements preferred alternatives in the following sequence:

- a. No action (allow the shoreline to retreat without intervention).
 - b. Non-structural measures such as vegetation enhancement or addressing upland drainage concerns.
 - c. Increase building setbacks and/or relocate structures to a feasible location and/or elevate the structures.
 - d. Implement flexible/natural materials and methods, beach nourishment, protective berms, bioengineered stabilization or other soft-treatment measures.
 - e. Hybrid structure.
 - f. Exclusively hard stabilization materials.
2. An analysis for these alternatives shall be submitted with each replacement or new stabilization application.
 3. Point Monroe District properties shall also meet provisions in Section 6.2.8.3, Specific Regulations for Point Monroe District.

6.2.8.1 Specific Regulations: Replacement of Existing Structural Stabilization

1. Replacement of existing structural stabilization is allowed to protect public transportation infrastructure, essential public facilities, and primary structures when all the following apply:
 - a. The replacement is located landward of OHWM, unless demonstrated to the satisfaction of the Administrator to be infeasible, then it may be located in the same location, except as provided in subsection (3), below; and
 - b. The danger of loss or substantial damage from shoreline erosion is caused by tidal action, current, and waves rather than landslides, sloughing or other forms of shoreline erosion unrelated to water action at the toe of the slope and such has been identified through a geotechnical report except as provided in subsection (c), below; and
 - c. A geotechnical report demonstrates a need to protect the primary structure and primary appurtenance from danger of loss or substantial damage within five (5) years due to shoreline erosion, (b) above, in the absence of hard structural stabilization; except the following is not required to identify danger of loss or substantial damage through a geotechnical report:
 - i. An existing primary single-family residence located within ten feet (10') or less from the OHWM; or
 - ii. An existing primary single-family residence located within ten feet (10') or less from the top of a high bluff (greater than fifteen feet (>15')) ~~(top of bluff as defined in Appendix B); or~~

- iii. An existing primary single-family residence located with the Point Monroe District may use the *Spit Science Summary – Point Monroe*, Herrera Environmental, 2012, to substitute for a site-specific geotechnical report.
 - d. The replacement structure is designed, located, sized and constructed to assure no net loss of ecological functions and processes; and
 - e. Hard structural shoreline stabilization, including hard partitions of hybrid stabilization, is limited to the ‘zone of impact’ for protecting a primary structure and its primary appurtenances. See Section 8.0 for ‘zone of impact’ definition.
2. When a geotechnical report confirms a need to prevent potential loss of or damage to a primary structure, but the need is not as immediate as five (5) years, the report may be used to justify more immediate authorization to protect against erosion using soft-treatment stabilization or hybrid structural measures.

6.2.8.2 Specific Regulations: New Shoreline Stabilization

1. The City may approve new or enlarged structural stabilization measures to protect non-water-dependant public transportation infrastructure, essential public facilities, and primary structures when all the following apply:
 - a. The danger of loss or substantial damage from shoreline erosion is caused by tidal action, current, and waves rather than landslides, sloughing or other forms of shoreline erosion unrelated to water action at the toe of the slope and such has been identified through a geotechnical report except as provided in subsection (b), below.
 - b. A geotechnical report demonstrates there is significant possibility that the primary structure or primary appurtenance structures will be damaged within three (3) years as a result of shoreline erosion, (a) above, in the absence of hard structural stabilization measures; except the following is not required to identify danger of loss or substantial damage through a geotechnical report:
 - i. an existing primary single-family residential structure located within ten feet (10’) or less from the OHWM; or
 - ii. An existing primary single-family residential structure located within ten feet (10’) or less from the top of a high bluff (greater than fifteen feet (>15)~~(top of bluff as defined in Appendix B)~~).
 - c. The new or expanded structure is designed, located, sized and constructed to assure no net loss of ecological functions and/or processes; and
 - d. Hard structural shoreline stabilization, including hard portions of hybrid stabilization, is limited to the ‘zone of impact’ for protecting a primary structure and/or its primary appurtenances.
2. Where a geotechnical report confirms a need to prevent potential loss of or damage to a residential primary structure, but the need is not as immediate as three (3) years, the report

may be used to justify more immediate authorization to protect against erosion using soft-treatment structural measures.

6.2.8.3 Specific Regulations for the Point Monroe District

1. New foundations and redevelopment of existing foundations that impede the natural over-wash process with the Federal Emergency Management Administration (FEMA) flood zone are considered flood protection works and shall meet provisions in Section 5.9, Residential Development.
2. New hard shoreline stabilization measures are prohibited in Area I, II, and IV of the Point Monroe District, as depicted in the Point Monroe District Map in Appendix E.
3. A conditional use permit shall be required for hybrid structural stabilization within Area III of the Point Monroe District, as depicted in the Point Monroe District Map, Appendix E.

6.2.9 Regulations – Subdivisions

1. Land subdivision shall be designed to assure future development will not require shoreline stabilization for the next one hundred (100) years from date of building permit approval as demonstrated by a geotechnical report.

6.2.10 Submittal Requirements for Shoreline Stabilization Project Applications

1. In addition to the general submittal requirements for all applications specified in BIMC Section 2.16.020(H), the following shall be submitted to the City. Applications for repair of existing stabilization will be required to submit only the first six (6) items. The Administrator may waive some or all of the following based on specific project requirements:
 - a. Purpose of the project including a calculation that demonstrates the amount proposed to be repaired and past amounts repaired and a summary of replacement and/or repair materials proposed; and
 - b. Plan and cross section views of the existing and proposed shoreline configuration, showing accurate existing and proposed topography and OHWM, including an indication of the amount of area proposed to be repaired; and
 - c. Documentation of pre-construction shoreline characteristics; and
 - d. Description of physical, geological and/or soil characteristics of the site including existing and proposed slope profiles; and
 - e. A description of any waste and debris disposal sites for materials generated during construction; and
 - f. For repair of shoreline stabilization, the design recommendations for minimizing impacts and ensuring the new construction, replaced or repaired stabilization

measure is designed, located, sized and constructed to assure no net loss of ecological functions and processes; and

- g. Examination and implementation of alternatives in the order of preference as described in Section 6.2.8, Specific Regulations: Replacement of Existing Structural Stabilization, including a description of cost, mitigation cost, maintenance needs and success in protecting the primary structure; and
- h. Existing shoreline stabilization within the reach of the proposed project; and
- i. Any outreach efforts to coordinate with property owners within the shoreline reach to address an ecosystem-wide restoration plan; and
- j. A description of any waste and debris disposal sites for materials generated during construction; and
- k. A discussion of the cause of shoreline erosion including assessment of ecosystem-wide processes occurring both waterward and landward of the OHWM and an analysis of on-site and/or adjacent upland drainage.
- l. Impact analysis and mitigation report as specified by Section 4.1.2, Environmental Impacts; and
- m. Geotechnical report including the estimated rate of erosion and eminent danger within the time threshold as provided in Section 6.2 and the following:
 - i. Proof of a geotechnical design of the structural stabilization; and
 - ii. Washington State licensed civil engineer with a specialty in coastal engineering or a qualified Washington State licensed geologist with a specialty in coastal geology and a qualified marine habitat biologist shall evaluate the cumulative effects of stabilization methods within a drift cell; and
 - iii. Maintenance, Monitoring and Planting Plan as required by Section 4.1.2, Environmental Impacts.

6.3 Overwater Structures

6.3.1 Applicability

Uses which may employ a pier or dock are subject to the provisions herein as well as to the provisions contained in Section 5.0, Specific Shoreline Use and Development Policies and Regulations. Single use, community, or joint-use docks which provide moorage for six (6) or more vessels also must comply with the provisions of Section 5.3, Boating Facilities.

Pursuant to RCW 90.58.030(3)(e)(vii), or its successor, and WAC 173-27-040(2)(h), or its successor, certain activities are exempt from obtaining a Shoreline Substantial Development Permit (SSDP). For the benefit of the lot owner, surrounding properties, and water body users, the City will review all proposals for piers and docks to determine whether:

1. The proposal is or is not exempt from the requirements for a shoreline permit;
2. The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated; and
3. The proposal is consistent with the intent, policies, and regulations of the Act (RCW 90.58.140(1) or its successor) and this Program.

Activities that are exempt from a shoreline substantial development permit must still meet the provisions of the Master Program. A pier, dock or float associated with a single-family residence is considered a water-dependent use provided that it is designed and intended as a facility for to tie up watercraft. Overwater structure activities will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts and Section 4.0, General (Island-wide) Policies and Regulations; Section 4.4.1 Shorelines of Statewide Significance, and may also be reviewed under Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management, ~~and Appendix B, when applicable.~~ Other portions of this Program may also apply.

6.3.2 Goal

Limit the number and size of piers, docks, and floats to the extent necessary to accommodate the proposed use and avoid adverse impacts to shoreline ecological functions and ecosystem-wide processes. Allow overwater structures only when part of a permitted water-dependent use or for public access. Ensure consistency with federal and state regulations.

6.3.3 Policies

1. Encourage multiple-use and expansion of existing conforming piers, docks, and floats over the addition of new facilities. Joint-use facilities are preferred over new, single-use piers, docks and floats.
2. Mooring buoys are preferred to either piers or docks. Locate and design buoy installation to avoid or minimize adverse impacts on ecological functions and ecosystem-wide processes.
3. Locate and design piers, floats, and docks to avoid and minimize possible adverse impacts on ecological functions and ecosystem-wide processes, including fish and wildlife habitat, and impacts to ecosystem-wide shoreline processes such as littoral drift and sand movement. Ensure that piers, floats and docks are:
 - a. Designed in consideration of the proposed intensity of use, the shoreline characteristics, tidal action, aesthetics and minimization of impacts to adjacent land and public use of the waters of the state.
 - b. Prohibited at locations where physical limitations exist, such as shallow, sloping tidelands bottoms; high littoral drift areas; landslide-prone areas and/or feeder bluffs.
 - c. Designed and maintained to mitigate adverse impacts to the environment such as eelgrass beds and fish habitats, shoreline aesthetics, and water quality, and to

minimize interference with navigable waters and the public's use of the water and shoreline. Design considerations should:

- i. Limit pier and float length & width to extent necessary for the intended use;
 - ii. Provide functional grating for light penetration;
 - iii. Configure pier and float orientation to minimize shading;
 - iv. Prohibit auxiliary structures on piers and floats;
 - v. Provide a mechanism to prevent floats from resting on tidelands;
 - vi. Encapsulate floatation to prevent to breakup and loss of material; and
 - vii. Use a site-specific distance between piles to avoid adverse impacts to salt water critical habitat.
 - d. Designed, constructed, and maintained to provide a reasonable level of safety to users.
4. Encourage proponents of commercial pier, float, and dock projects to provide for public docking, launching, or recreational access.
5. Encourage the development of public docks with floats at appropriate road-end locations. Local programs and coordinated efforts among private and/or public agencies should be initiated to develop new public access docks, and to remove or repair failing, hazardous, or nonfunctioning piers and docks and restore such facilities and/or shore resources to a natural and/or safe condition.
6. Encourage the use of natural materials in pier and dock construction. Chemical wood treatments, such as creosote or pentachlorophenol are prohibited on all new structures or repair projects. Plastics and other non-biodegradable materials may be used; however, precautions should be taken to ensure their containment as provided in Section 4.1.6, Water Quality and Stormwater Management.
7. Implement an education program for boat owners and operators on best management practices for use of boat and overwater structure maintenance products.
8. Limit the development of new docks and piers in harbors and encourage public docks and private community docks, except that in Blakely Harbor:
 - a. New docks shall be prohibited between Restoration Point and the most eastern point along the north shore of Blakely Harbor; except
 - i. Two community docks should be allowed, one along each the north and south shores, provided that all residents along each shore are provided a non-extinguishable option to access the community dock located along their respective shore; and
 - ii. One small public dock and/or pier for the mooring of dinghies and loading or unloading of vessels should be allowed for daytime use.

6.3.4 Regulations - Prohibited

1. Overwater structures in the Priority Aquatic designations and adjacent to the Natural designation except:
 - a. New individual, community or joint-use residential docks or piers are permitted in the Priority Aquatic B designation, only in areas where salt marsh vegetation, such as pickleweed (*Salicornia* sp.), does not exist.
 - b. Two mooring buoys per parcel are allowed for public access when upland property is owned by a public entity.
2. Overwater Structures at locations where critical physical limitations exist, such as shallow sloping tidelands with gradients of 3% or less; or areas mapped for high levels of accretion; or geological hazardous areas located outside of harbors and/or feeder bluffs, except when specifically allowed in Section 4.2.4, Public Access – Visual and Physical, or Section 5.3, Boating Facilities.
3. Development of new docks and piers within all shoreline designations within Blakely Harbor between Restoration Point and the most eastern point along the north shore of Blakely Harbor (sometimes referred to as “Pigott Point” or “Jasmine Point”), except as provided in this section.
4. New docks and piers within Murden Cove as shown on the Shoreline Designation Map.
5. New boat houses and/or new covered moorage on either existing or new piers or docks.
6. Hydraulic water jets cannot be used to remove piling.
7. Use of arsenate compounds or creosote-treated members.
8. Over-water field applications of paint, preservative treatment, or other chemical compounds, except in accordance with best management practices set forth in the Boating Facility section of the Master Program or when allowed by a current National Pollution Discharge Elimination System (NPDES) permit from the Department of Ecology.
9. Bulk storage for gasoline, oil and other petroleum products for any use or purpose on piers and docks. Bulk storage means non-portable storage in fixed tanks.

6.3.5 Regulations - General

1. Except for the provisions contained in this chapter, new piers and docks shall be a permitted use in the Urban, Shoreline Residential, and Aquatic designations, and shall be a conditional use in the Shoreline Residential Conservancy and Island Conservancy designations.
2. Mooring buoys are a preferred use, over docks, where feasible.
3. Piers and docks shall be located and designed to minimize interference with the use of navigable waters and may be limited in length or prohibited, where necessary, to protect navigation, public use, or habitat values including critical saltwater habitat.

4. If a bulkhead-like base is proposed for a fixed pier or dock the base shall be built landward of the ordinary high water mark or protective berg and is considered shoreline stabilization and must meet provisions of Section 6.2 Shoreline Stabilization.
5. Structures on piers and docks shall be strictly limited in size to avoid impacting shoreline views.
6. Piers and docks shall require a building permit and shall meet standards set by the building official, except public ferry terminals as part of the state highway system.
7. Lighting shall:
 - a. Satisfy the provisions of BIMC 18.15.040;
 - b. Be the minimum necessary, or as required by the Coast Guard, to locate the dock at night; and
 - c. Should minimize glare.
8. Mitigation requirements of Section 4.1.2, Environmental Impacts, may be met through mitigation standards for the United States Army Corps of Engineers (USACE) permit process.
9. New docks and piers shall be allowed only for water-dependent uses or public access. As used here, a dock associated with a single-family residence is a water-dependent use and may be permitted, provided that it is designed and intended as a facility for access to watercraft and otherwise complies with the provisions of the Act and this Program.
10. Piers and dock construction shall adhere to Fish Window provisions found in WAC 220-110 by the Washington Department of Fish and Wildlife

6.3.6 Regulations – Location, Design and Construction Standards – Pier, Dock, Float

1. A single use dock consists of pier, ramp, float, and one boat lift. An additional boat lift may be added per dwelling unit for joint-use docks.
2. When plastics or other non-biodegradable materials are used in float, pier, or dock construction, precautions shall be taken to ensure their containment.
3. Overhead wiring or plumbing is not permitted on overwater structures.

6.3.7 Regulations – Specific

6.3.7.1 Piling Regulations

1. Principle: Piles are physical barriers to fish migration and have the potential to leach contaminants into aquatic and nearshore environments. Piling installed close together can cause floating debris to accumulate, which can lead to increased shading and predator protection. The fewest number of pilings necessary should be installed and spacing

between piling should be maximized. Projects must be designed to minimize abrasion between the pier, ramp and float caused by tidal fluctuations because this can result in the deposition of contaminants into the water and over time will cause a loss of structural integrity requiring additional maintenance by the applicant.

- a. Replacement or new piling shall be steel, concrete, plastic or untreated or approved treated wood, if approved by USACE. Any piling subject to abrasion (and subsequent deposition of material into the water) must incorporate design features to minimize contact between all of the different components of overwater structures during all tidal elevations.
- b. New piling associated with a new pier, except large water-dependent ferry terminals, must be spaced at least twenty feet (20') apart (lengthwise along the structure) unless the length of structure itself is less than twenty feet (20'). If the structure itself is less than twenty feet (20') in length, piling can only be placed at the ends of the structure. Piles in forage fish spawning areas need to be spaced at least forty feet (40') apart.
- c. If the project includes the replacement of existing piling, they should be either partially cut with a new piling secured directly on top, fully extracted, or cut 2-feet below the mudline. If treated piling are fully extracted or cut, the holes or piles must be capped with clean, appropriate material.
- d. A maximum of two moorage pilings may be installed to accommodate the moorage of boats exceeding the length of the floats.
- e. Piles, floats, or other components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol. In saltwater areas characterized by shellfish populations or in shallow embayments with poor flushing characteristics, untreated wood, used pilings, precast concrete, or other nontoxic alternatives shall be used. In all cases where toxic-treated products are allowed, products, methods of treatment, and installations shall be limited to those that are demonstrated as likely to result in the least possible damage to the environment based on current information.
- f. Piling employed in piers or any other structure shall have a minimum vertical clearance of 18 inches above extreme high water.

6.3.7.2 Pier Regulations

1. Principle: In the Puget Sound, the intertidal and sub-tidal substrate supports a complex web of plant and animal species. Juvenile salmon, called "salmonids," young and adult bull trout, and juvenile rockfish use nearshore marine areas for feeding, rearing, and as migratory corridors. Their predators are generally located in deeper waters that young fish tend to avoid. As they mature they become less dependent on shallow areas and begin preying on forage fish, many of which spawn on the intertidal substrate around eelgrass, kelp beds and macroalgae. Piers create shadows that can impact the viability of marine vegetation that require sunlight to grow. This subsequently adversely impacts the

habitat of fish that so many other species (including human beings) rely upon. In addition, large shaded areas provide cover for predators so for these reason the amount of shade created by piers must be minimized.

- a. The width of the modified portion of a pier or proposed new pier must not exceed four (4) feet for single use or six (6) feet for joint use. Pier width for marinas or public use docks may exceed these restrictions if they provide mitigation, which may include artificial lighting under the pier during daytime hours.
- b. Functional grating resulting in a total open area of a minimum of thirty percent (30%) must be installed on all new or replacement piers that are four to six feet (4-6') wide. For example, this can be achieved by installing grating with sixty percent (60%) open area on at least fifty percent (50%) of the pier or by grating a larger percentage of the pier with grating with openings of less than sixty percent (60%). Site conditions may require pier to be one hundred (100%) or fully grated.
- c. For all sections of the pier that span upper intertidal areas with obligate vegetation, that pier section shall be fully grated with grating having sixty percent (60%) open area.

6.3.7.3 Float Regulations

1. Principle: Sharp shadows cast by floats and float tubs have been shown to discourage salmonids and other young fish from passing underneath, forcing them into deeper water where their chance of being preyed upon is increased and water temperature and conditions are different. In the case of rockfish, they give birth to live larval young that spend several months being passively dispersed by tidal fluctuations, as they mature they move out to deeper water but initially are at a high risk of predation. Manmade shade creates artificial pockets of opportunity for the predators of young fish and unlike the shade from overhanging vegetation the negative impacts outweigh the benefits. Finally, to prevent damage to the substrate, benthic invertebrate communities and vegetation, floats should not rest on substrate low tide and should be fully encased to prevent the deterioration and dispersion of floatation materials.
 - a. For a single-use structure, the float width must not exceed eight (8) feet and the float length must not exceed thirty feet (30'). Functional grating must be installed on at least fifty percent (50%) of the surface area of the float.
 - b. For a joint-use structure, the float width must not exceed eight (8) feet and the float length must not exceed sixty feet (60'). Functional grating must be installed on at least fifty percent (50%) of the surface area of the float.
 - c. To the maximum extent practicable, floats must be installed with the length in the north-south direction.
 - d. If the float is removed seasonally, the applicant needs to indicate this in their application along with the proposed storage location. Floats should be stored above mean high/high water/ordinary high water line at a City approved location.

City authorization may be required if the float will be stored within City jurisdiction (even within a marina).

- e. Flotation for the float shall be fully enclosed and contained in a shell (e.g., polystyrene tubs not shrink wrapped or sprayed coatings) that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation and/or abrasion caused by rubbing against piling and/or waterborne debris.
- f. Flotation components shall be installed under the solid portions of the float, not under the grating.
- g. If the float is positioned perpendicular to the ramp, a small float may be installed to accommodate the movement of the ramp due to tidal fluctuations. The dimensions of the small float cannot exceed six (6) feet in width and ten (10) feet in length.

6.3.7.3.1 Float Stop Regulations

1. Principle: Floats need to be above the substrate, the preferred and least impacting option is to suspend the float above the substrate by installing float stops on pilings designed to anchor floats, installing a few stub pilings, or in certain situations it could be appropriate to install float feet. In all cases, the stops must be able to fully support the entire float during all tidal elevations.
 - a. Floats need to be suspended a minimum of one foot (1') above the tidal substrate at all tide levels.
 - b. To suspend the float above the substrate, the preferred and least impacting option is to suspend the float above the substrate by installing float stops (stoppers) on piling anchoring new floats. The stops must be able to fully support the entire float during all tidal elevations.
 - c. If float stops attached to pilings are not feasible, then up to four 10 inch diameter stub pilings can be installed instead, except an additional two may be installed for joint-use floats.
 - d. Float feet attached to the float may be considered an option only under these circumstances:
 - i. In coarse substrate, D252 of 25mm or larger for a grain size sample taken from the upper one foot of substrate;
 - ii. For elevations of minus 3 MHHW and lower at D25 of 4mm or larger for a grain size sample taken from the upper one foot of the substrate (intent is to exclude muck);
 - iii. For repair or replacement of existing float feet if the following two conditions are met: (1) substrate looks like it contains mostly gravel (no analysis needed, picture sufficient), and if (2) proposed replacement or

repair includes other improvements of the environmental baseline like the removal of creosote-treated piling and increased amounts of grating.

- e. Floats can be held in place with lines anchored with a helical screw or “duckbill” anchor, piling with stoppers and/or float support/stub pilings.
 - i. For a single-use float, a maximum of four (4) pilings (not including stub piling), helical screws, or “duckbill” anchors can be installed to hold the float in place.
 - ii. For a joint-use float, a maximum of eight (8) piling or helical screw or “duckbill” anchors can be installed to hold the float in place.
 - iii. If anchors and anchor lines need to be utilized, the anchor lines shall not rest on the substrate at any time.
 - iv. In rocky substrates where a helical screw or “duckbill” anchor cannot be used, if the applicant submits a rationale why these types of anchors cannot be used and the Administrator concurs with this rationale, an approved anchor of another type (i.e., concrete block) may be permitted.

6.3.7.4 Regulations – Residential Community and Joint-use Piers and Docks

1. Any hotel, motel, and/or multifamily residential development proposing to provide moorage facilities shall be required to construct a single, joint-use moorage facility. The Administrator may authorize more than one joint-use moorage facility if a single facility would be inappropriate or undesirable, given the specific conditions of the site. Facilities for moorage of six (6) or more vessels are considered a marina and must meet regulations in Section 5.3, Boating Facilities.
2. Proposals for community or joint-use piers and docks shall demonstrate, by proof of recording of a covenant binding current and future parties, that adequate maintenance of the structure and the associated upland area will be provided by identified responsible parties. The proposed covenant shall be filed as part of the permit application and recorded after final approval. An access easement to joint use dock shall be granted for all lots or dwelling units.
3. In Blakely Harbor:
 - a. A total of two (2) community docks shall be a conditional use within the upland, and aquatic designations with no more than one along each the north and south shores, respectively, provided that all residents along each shore shall have a non-extinguishable option to access the community dock located along their respective shore;
 - b. One day time use public dock and/or pier for the mooring of dinghies and loading or unloading of vessels shall be a conditional use within the upland and aquatic designations; and

- c. Such community and public docks shall comply with this master program and other applicable laws; shall be the minimum size necessary; and shall be sited and designed to mitigate adverse impacts to navigation, views, scenic character, and natural resources as much as possible. Such community and public docks shall also be reasonably passable to swimmers, beach walkers, and human-powered water craft.

6.3.7.5 Regulations – Commercial/Industrial Facilities Piers and Docks

These standards apply to piers and docks intended for any commercial or industrial use other than commercial moorage of boats in marinas. (See also Section 5.3, Boating Facilities, Section 5.4, Commercial Development, and Section 5.6 Industrial Development.)

1. Substantial development permits for docks or piers serving single commercial or industrial enterprises shall not be granted until the access needs of adjacent commercial and/or industrial enterprises have been determined.
2. Commercial or industrial piers or docks shall not extend offshore farther than the most shoreward of the following:
 - a. The average length of the piers on the two adjoining properties;
 - b. In Eagle Harbor, the Constriction Limit Line;
 - c. Elsewhere, the distance necessary to obtain a depth of four feet (4.0') of water as measured at extreme low tide at the landward limit of the moorage slip; or
 - d. The line of navigation; and
 - e. In no case shall piers and their associated ramps and floats extend greater than 15% of the perpendicular shore-to-shore distance across a water body, except where a navigational study has been submitted for City review and approval.
3. Facilities and procedures for receiving, storing, dispensing, and disposing of oil and other toxic products shall be designed to ensure that such oil and other toxic products are not introduced into the water body.
4. Spill clean-up facilities shall be available for prompt response and application at all piers and docks involved in oil and hazardous products transfer.

6.3.7.6 Regulations – Residential (Joint, Community and Individual) Piers and Docks

1. New subdivisions and short subdivisions with shoreline frontage shall be required to provide community docks rather than individual, private docks.
2. Size.
 - a. Maximum width of a pier or dock shall be the minimum necessary to accomplish moorage for the intended boating use. (See 6.3.7.1 Regulations – Specific, above, for additional restrictions.); and

- b. The length shall not extend beyond the average length of adjacent docks, within five hundred feet (500') of the proposed location or the distance necessary to obtain a depth of nine feet (9') of water as measured at mean lower-low water (MLLW) at the landward limit of the moorage slip, whichever is closer to shore. A dock shall not extend beyond the adjoining property dock or the line of navigation and in no case shall piers and their associated ramps and floats extend greater than 15% of the perpendicular shore-to-shore distance across a water body, except where a navigational study has been submitted for City County review and approval; and
 - c. In Eagle Harbor, a pier or dock shall not extend beyond the Construction Limit Line; and
 - d. A pier or dock shall not extend beyond the Harbor Structure Limit line shown in Appendix E.
3. Side-yard Setbacks.
- a. Docks, piers and floats shall be set back a minimum of ten feet (10') from side property lines, except that community piers, docks, and floats may be located adjacent to or upon a side property line when mutually agreed to by covenant with the owners of the adjacent property. A copy of the covenant must be recorded with the County Auditor and filed with the application of the permit.
4. Community docks and piers shall include no more than one (1) moorage space per dwelling unit or lot.

6.3.7.7 Regulations – General Mooring Buoys and Recreational Floats

- 1. Mooring buoys and recreational swim floats use shall be permitted in the Aquatic environment offshore from Island Conservancy, Shoreline Residential, Shoreline Residential Conservancy, and Urban designations.
- 2. Mooring buoys for commercial use shall be permitted only as conditional uses offshore from the Urban designation. Mooring buoys for public open water moorage and anchorage areas shall be permitted in the Aquatic designation offshore of all upland designations.
- 3. No more than one structure may be installed for each ownership. However, properties that contain at least two hundred (200) linear feet as measured along the shoreline may be permitted more installations on a case by case basis as determined by the City and the State Department of Natural Resources [WAC 332-30-148(3) or its successor], Properties where the waterfront lot is owned in community, may be permitted, additional mooring buoys with the total not more than one (1) per one hundred (100) linear feet of shoreline ownership.
- 4. Mooring buoys for commercial vessels adjacent to commercial or industrial zones are a Shoreline conditional use. One buoy is allowed per ownership.

5. A contractor doing waterfront work involving floating equipment may have one (1) temporary mooring buoy provided it is the responsibility of the contractor to ensure that all necessary permits are obtained from all agencies with jurisdiction.

6.3.7.8 Regulations – Location, Design and Construction Standards Mooring Buoys and Recreational Floats

1. In order to protect shellfish beds, new moorings buoys shall not be permitted where density will exceed one buoy per one hundred (100) linear feet.
2. Buoys shall not interfere with navigation, shall be visible in daylight one hundred (100) yards away, and shall have reflectors for night visibility.
3. If a buoy is located offshore of the extreme low tide line, the owner shall obtain a lease for the bed of navigable waters from the Department of Natural Resources. [RCW 79.105.430 or its successor].
4. Buoys shall lie between the waterfront property side lot lines extended beyond the shoreline, except those on state waters. Buoys shall not swing across the extended side lot lines. Where the configuration of the waterfront lot precludes these requirements, authorization from the affected adjacent waterfront property owners must be obtained. This provision shall not apply to buoys for public open water moorage and anchorage areas.
5. Mooring buoys shall be installed at least sixty (60) feet from other permitted piers, docks, or floats.
6. Buoys shall be located:
 - a. At a minimum depth of nine feet (9') MLLW with a standard single mid line float; the minimum depth may be reduced with an alternate system approved by the Administrator; and
 - b. Landward of the Construction Limit Line in Eagle Harbor;
 - c. Landward of the Harbor Structure Limit Line shown in Appendix E;
 - d. Elsewhere not more than two hundred feet (200') beyond extreme low tide, the -18 feet MLLW depth contour, or the line of navigation, whichever is appropriate. The placement of rafts and buoys beyond the -18 feet MLLW contour or 200 feet will be evaluated on a case by case basis. [WAC 332-30-148(2) or its successor]; and
 - e. Buoys for public open water moorage and anchorage areas shall be allowed waterward of the Construction Limit Line in Eagle Harbor.
7. Recreational floats shall be located as close to shore as possible. and no farther waterward than the following limits:
 - a. In Eagle Harbor, the Construction Limit Line; or

- b. Elsewhere, the distance necessary to obtain a depth of four feet (4') of water as measured at extreme low tide at the landward end of the float, or the line of navigation, whichever is closer to shore.
8. Recreational floats must be built so that the deck surface is one foot (1') above the water's surface and shall have reflectors for night visibility.
9. Recreational floats shall not exceed eight feet (8') by feet (8').
10. All recreational floats shall include stops, or device or system approved by the Administrator, which serve to keep the floats off the bottom of tidelands at low tide, see Section 6.3.7.3.1, Float Stop Regulations.
5. Survey of littoral boundary lines;
6. Location, width, height, and length of piers or docks on adjacent properties within five hundred feet (500') of proposed structure;
7. Agreements, if any, for cooperative use; and
8. Method of removing piling, if applicable.

6.4 Dredging and Dredge Material Disposal

6.4.1 Applicability

Dredging is the removal of material from the bottom of a water body. The purposes of dredging might include: deepening a navigational channel, berth, or basin; streambed maintenance; use of dredged material for fill or habitat enhancement (effective reuse); and removal of contaminated sediments. Dredged material disposal on land is also subject to the fill policies and regulations of this program. Pursuant to WAC 173-27-040 or its successor, certain activities, such as those associated with normal maintenance and repair, are exempt from the requirements for a SSDP, but may still require a letter of exemption, shoreline conditional use permit or variance.

All actions are required to comply with the Shoreline Management Act and all provisions of the Master Program. Department of Ecology and US Army Corps of Engineers notifications of dredging proposals will be reviewed by the City to determine whether the activity is exempt from the requirements for a substantial development permit and to ensure compliance with regulations of the Act and the Master Program.

Dredging activities will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management; Section 6.5 Fill; ~~and Appendix B, when applicable~~. Other portions of this Program may also apply.

6.4.2 Goal

Minimize dredging and dredge material disposal within the shoreline jurisdiction.

6.4.3 Policies

1. Design and locate new development to avoid dredging and discourage operations, including disposal of dredge materials. When dredging cannot be avoided, the operations and dredged material disposal shall be located and conducted in a manner which minimizes damage to the ecology and natural resources of both the area to be dredged and the disposal site.
2. Prohibit dredging for the primary purpose of obtaining fill material except for projects associated with state or federal environmental remediation operations or authorized habitat restoration.
3. Plan and conduct dredging operations to minimize interference with navigation and adverse impacts to other shoreline uses, properties, and values.
 - a. Dredging for the purpose of establishing, expanding, relocating or reconfiguring a navigation channel should be allowed where necessary to assure safe and efficient accommodation of existing or proposed navigational uses and then only when ecological impacts are minimized and mitigation is provided to offset adverse impacts.
 - b. Maintenance dredging of established navigation channels should be restricted to maintaining previously dredged and/or existing authorized location, depth, and width.

6.4.4 Regulations – Prohibited

1. New dredging activity is prohibited in the following:
 - a. In environmentally sensitive habitats (e.g., stream mouth estuaries, wetlands) except by shoreline conditional use permit.
 - b. Along net-positive drift cells and/or where geo-hydraulic processes are active and accretion shoreforms would be damaged, altered, or irretrievably lost.
 - c. In shoreline areas with bottom materials that are prone to significant sloughing and refilling due to currents or tidal activity, thus resulting in the need for continual maintenance dredging.
 - d. In habitats identified as critical to the life cycle of officially designated or protected fish, shellfish, or wildlife.
 - e. In areas where concentrations of environmental pollutants or toxic chemicals are present in the bottom of sediments and would be released in dredging operations, except as part of a permitted environmental enhancement or remediation program.

- f. For the primary purpose of obtaining material for landfill, upland construction, or beach nourishment is prohibited.
 - g. On or in archaeological sites
- 2. Dredging shall be prohibited in the Priority Aquatic Category A designation.

6.4.5 Regulations - General

- 1. Dredging is a conditional use in the Aquatic designation if permitted in the upland designation and shall be for the restoration, enhancement, or maintenance of natural resources and navigational channels or for publically-owned ferry terminals. Dredging shall be permitted as a conditional use in the Priority Aquatic Category B designation as part of an approved restoration proposal.
- 2. Proposals for dredging and dredge spoil disposal, when permitted, shall:
 - a. Be kept to the minimum necessary to accommodate the proposed use;
 - b. Comply with applicable federal, state, and other local regulations;
 - c. Employ appropriate measures to protect public safety and prevent adverse impacts on other approved shoreline uses;
 - d. Taken appropriate measures to ensure the activity will not interfere with fishing or shellfish harvesting;
 - e. Employ appropriate best management practices to protect marine, estuarine, freshwater and terrestrial species and critical saltwater habitats and to minimize adverse impacts such as turbidity, release of nutrients, heavy metals, sulfides, organic materials, or toxic substances, depletion of oxygen, disruption of food chains, loss of benthic productivity, and disturbance of fish runs and important localized biological communities;
 - f. Be scheduled so as to not materially interfere with the migratory movements of anadromous fish;
 - g. Not adversely alter natural drainage and circulation patterns, currents, and tidal flows, or significantly reduce flood water capacities.
 - h. Utilize techniques that cause minimum dispersal and broadcast of bottom material; hydraulic dredging shall be used wherever feasible in preference to agitation dredging;
 - i. Not interfere with geohydraulic processes;
 - j. Be found, through analysis by a qualified professional, to be minimally or nonpolluting; and
 - k. Revegetate land disposal sites with native vegetation species and other approved plants shall be required according to Section 4.1.2.5, Regulations – Revegetation Standards.

6.4.6 Regulations – Specific Dredging

1. Dredging, when allowed in Section 6.4.5, Regulations – General, shall support the following uses and developments:
 - a. Approved harbors, marinas, ports, and water-dependent industries;
 - b. Development or maintenance of essential public infrastructure and facilities;
 - c. Environmental clean-up activities required by the Model Toxics Control Act (MTCA) or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);
 - d. Underground utility installation requiring trenches when boring, directional drilling, and other installation methods are not feasible;
 - e. Maintenance dredging for the purpose of restoring a lawfully established industrial or commercial water-dependent development;
 - f. Maintaining, establishing, expanding, relocating or reconfiguring navigation channels and basins where necessary to assure the safety and efficiency of existing navigational uses;
 - g. Ecological restoration and enhancement projects benefiting water quality and/or fish and wildlife habitat; or
 - h. Public access and public water-oriented recreational developments/uses, including construction of public piers and docks.
2. New development shall be sited and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.
3. Maintenance dredge options shall occur in the same location, depth, and width as previously permitted.

6.4.7 Regulations – Dredge Material Disposal

1. All unconfined, open water dredge disposal activities shall comply with the Puget Sound Dredged Disposal Analysis (PSDDA) criteria and guidelines and other applicable local, state and federal regulations.
2. When consistent with this Program, disposal of dredged materials in water areas other than PSDDA sites may only be allowed for the following reasons:
 - a. To restore or enhance habitat;
 - b. To reestablish substrates for fish and shellfish resources;
 - c. To nourish beaches that are starved for sediment; or
 - d. To remediate contaminated sediments.

6.5 Fill

6.5.1 Applicability

Fill is the placement of soil, sand, rock, gravel, existing sediment, or other material (excluding solid waste) along the shoreline below the OHWM, or on wetland or upland of the OHWM. Fill activities shall only be allowed as part of an approved shoreline use and/or development activity and shall be subject to the requirements of the principal use/development. Speculative fill activity is prohibited. Any fill activity conducted within shoreline jurisdiction must comply with the following policies and regulations. Beach nourishment as defined in the Shoreline Master Program shall not be considered fill. Excavation waterward of the ordinary high water mark is regulated under Section 6.4, Dredging and Dredge Material Disposal. Fill activities will be reviewed under the “no net loss” provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; ~~and Section 4.1.6, Water Quality and Stormwater Management; and Appendix B, when applicable.~~ Other portions of this Program may also apply.

6.5.2 Policies

1. Allow fill waterward of the OHWM only when necessary to facilitate commercial or industrial water-dependent and/or public access uses, and/or cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan, and is a conditional use.
2. Permit landfill landward of OHWM when necessary to support permitted uses, and when significant impacts can be avoided or mitigated.
3. Limit fills to the minimum extent necessary to accommodate an approved shoreline use or development and ensure fills are designed and located so that there will be no significant damage to existing natural resources, including surface water drainage systems, and with assurance of no net loss of shoreline ecological functions and ecosystem-wide processes.
4. Ensure the evaluation of fill projects addresses the following factors:
 - a. Impacts to shoreline ecological functions and ecosystem-wide processes;
 - b. Conflict with potential and current public use of the shoreline and water surface area as identified in adopted City plans, policies, and programs; and
 - c. Navigation restriction.
5. Ensure fill projects are designed to avoid or eliminate erosion and sedimentation impacts, both during initial landfill activities and over time.

6.5.3 Prohibited

1. Speculative fill activity.
2. Fill that will result in significant adverse impacts that cannot be avoided or mitigated.

3. Fill in the Priority Aquatic designations.

6.5.4 Regulations - General

1. Fill is allowed as a conditional use as follows:
 - a. In the Urban, Shoreline Residential, and Shoreline Residential Conservancy designations.
 - b. In the Island Conservancy and Natural designations only for the restoration, enhancement, or maintenance of natural resources. See Section 4.1.8, Shoreline Restoration and Enhancement for additional requirements and permit requirements.
 - c. In the Aquatic designation, for commercial or industrial water-dependent or essential public facilities, or as part of a permitted environmental enhancement or remediation project.
2. When allowed in (1) above, fill waterward of the OHWM shall be necessary for:
 - a. Approved marinas, ports, and other water-dependent industries where upland alternatives or structural solutions including pile or pier supports are infeasible.
 - b. Development or maintenance of essential public infrastructure and facilities.
 - c. Environmental clean-up activities required by MTCA and CERCLA.
 - d. Maintenance of a lawfully established use or development.
 - e. Ecological restoration and enhancement projects benefiting water quality and/or fish and wildlife habitat.
 - f. Public access and public water-oriented recreation projects benefiting substantial numbers of people.
3. Pile or pier supports shall be utilized whenever feasible in preference to fills. Fills for approved road development in floodways or wetlands shall be permitted only if the pile or pier supports are demonstrated to be infeasible.

6.5.5 Regulations – Location, Design and Construction

1. When allowed in 6.5.4, above, filling and/or excavation shall be located, designed, and carried out in a manner that;
 - a. Minimizes adverse impacts on the shoreline environment including significant damage to water quality, critical saltwater habitat;
 - b. Blends in physically and visually with natural topography, so as not to interfere with appropriate use, impede public access, or degrade the aesthetic qualities of the shoreline;
 - c. Does not require shoreline stabilization to protect materials placed unless it is part of an approved shoreline restoration project and shoreline stabilization measures are needed to keep the material in place; and

- d. Does not adversely alter natural drainage and circulation patterns, currents, river and tidal flows, or significantly reduce flood water capacities.
- 2. Where fills are permitted, the fill shall be the minimum necessary to accommodate the proposed use. Fills shall be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes.
- 3. Where fills reduce public access, compensatory public access shall be provided as part of the development project.
- 4. Fill proposals shall be designed, constructed, and maintained to prevent, minimize, and control all material movement, erosion, and sedimentation from the affected area. Perimeters of permitted fill projects shall be designed and constructed with silt curtains, vegetation, retaining walls, or other mechanisms, and appropriately sloped to prevent erosion and sedimentation both during initial landfill activities and afterwards. Such containment practices shall occur during the first growing season following completion of the landfill.
- 5. Fill materials shall be sand, gravel, soil, rock, or similar material. Use of contaminated dredge material is prohibited. (See Section 5.6, Industry and Section 6.4 Dredging and Dredge Disposal)
- 6. The timing of any fill construction shall be regulated to minimize damage to water quality and aquatic life within the time restraints recommended by the Washington State Department of Fish and Wildlife.

7.0 VIOLATIONS, ENFORCEMENT, AND PENALTIES

7.1 General

The Administrator and the Department of Ecology are authorized to adopt such rules as are necessary and appropriate to carry out the provisions of the Shoreline Management Act (RCW 90.58.200) and Chapter 173-27, Part II, WAC. The act calls for a cooperative program between local government and the state. It provides for a variety of means of enforcement, including civil and criminal penalties, orders to cease and desist, orders to take corrective action, and permit rescission. The following should be used in addition to other mechanisms available to the [City](#) in accordance with WAC 173-27-240 through WAC 173-27-300, or its successor. The [City](#) and/or the Department of Ecology shall have the authority to serve upon a person a cease and desist order if an activity being undertaken on shorelines of the state is in violation of chapter 90.58 RCW or the this Master Program, in accordance with WAC 173-27-270, or its successor.

When joint-enforcement actions between the state and the city are under taken, the provisions in RCW 90.58.210-230 and WAC 173-27-240-300 shall apply.

7.2 Regulations

7.2.1 Site Investigations

The Administrator is authorized to make site inspections and take such actions as are necessary to enforce this Master Program in accordance with BIMC Chapters 1.16, Right of Entry for Inspection, and 1.26, Code Enforcement.

7.2.2 Violations -- General

It is unlawful for any person to initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this Master Program.

7.2.3 Violations -- Specific

It is unlawful for any person to:

1. Initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city without first obtaining permits or authorizations required by this Master Program, or in a manner that violates the terms or conditions of such permits or authorizations.
2. Misrepresent any material fact in any application, plans or other information submitted to obtain permits or authorizations under this Master Program.
3. Remove or deface any sign, notice, complaint, or order required by or posted in accordance with this Master Program.

7.2.4 Stop Work Order

The city shall have the authority to issue a stop work order to cease all development work, and order restoration, rehabilitation, or replacement measures, including applicable sureties, at the owner's or other responsible party's expense to compensate for the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this Master Program.

7.2.5 After the Fact Permit Fee

After the fact application fees shall be triple the amount established by City Council resolution.

7.2.6 Violation Mitigation/Restoration Plan

Any Mitigation/Restoration Plan (Plan) required for a disturbance not authorized by this shoreline management program or approved by the City shall meet the provisions in Sections 4.1.2, Environmental Impact; 4.1.5 Critical Areas ~~including Appendix B~~; and 6.0, Shoreline Modification Policies and Regulations, and provide an analysis of lost functions over the period of violation.

All development work shall remain stopped until a Plan is approved by the Administrator. The Plan must be prepared at the expense of the violator, and submitted by the owner or other responsible party for approval by the Administrator. Such a Plan shall be prepared by a qualified professional using the best available science. The Administrator may, at the violator's expense, seek expert advice, including an independent third party review, in determining the adequacy of the Plan. Inadequate plans shall be returned to the applicant or violator for revision and re-submittal.

Any person, party, firm, corporation, or other legal entity that willfully refuses to complete a required restoration plan pursuant to this section, shall be guilty of a misdemeanor and provide shoreline restoration, in accordance with provision of this program, at a rate of 200% (ratio of 2 to 1) the impacted area.

7.2.7 Civil Infraction

Except as provided in subsection 7.2.8, Misdemeanor, conduct made unlawful by the city under this Master Program shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC 1.26.035. A civil infraction under this section shall be processed in the manner set forth in BIMC Chapter 1.26, Code Enforcement and in compliance with WAC 173-27-280.

7.2.8 Misdemeanor

Any person who again violates this Master Program within 12 months after having been found by the Bainbridge Island Municipal Court to be in violation of this Program, commits a misdemeanor and any person who is convicted of that violation shall be punished as provided in BIMC 1.24.010.A.

7.2.9 Civil Penalty

In addition to any civil infraction fine, criminal penalty, and/ or other available sanction or remedial procedure, any person who shall fail to conform to the terms of a permit or exemption issued under this shoreline master program or who shall undertake development on the shorelines of the state without first obtaining any permit or exemption required under this shoreline master program shall also be subject to a civil penalty in the amount not to exceed \$1,000 per day for each violation, each permit violation or each day of continued development without a required permit shall constitute a separate violation [RCW 90.58.210 or successor]; from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC 1.26.090

7.2.10 General Penalties

In addition to incurring civil liability under section 7.2.9 Civil Penalty, any person, party, firm, corporation, or other legal entity found to have willfully engaged in activities on the shorelines of the state in violation of the provisions of this shoreline master program's rules, or regulations as adopted shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than twenty-five nor more than one thousand dollars or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment: PROVIDED, That the fine for the third and all subsequent violations in any five-year period shall be not less than five hundred nor more than ten thousand dollars [RCW 90.58.220, or successor].

7.2.11 Additional Remedies

In addition to any other remedy provided by this chapter or under the Bainbridge Island Municipal Code, the City may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply with any provision of this Master Program to prevent, enjoin, abate, and/or terminate violations of this Master Program and/or to restore a condition that existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of this Master Program shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.

7.2.12 Conflicts

In the event and to the extent the language of this section conflicts with language of the codes and/or appendices adopted by reference in this Master Program, the language of this section shall prevail over the language it conflicts with in any said code and/or appendix.

7.2.13 Financial Surety Procedure

After reviewing any application or exemption for a shoreline development, the Administrator may require the posting of a financial surety to ensure continued compliance with any conditions imposed, including the construction of improvements, the adherence to city standards, and/or maintenance, repair or replacement of such improvements in accordance with Section 4.1.2.7, Bonding. The financial surety shall be in a form acceptable to the city

attorney. In the event a condition occurs warranting the use of financial surety, the Administrator may act under such financial surety or may perform the work required at city expense, which expense shall be a lien against the property, enforceable as would be a judgment thereon.

8.0 DEFINITIONS

Abutting –Bordering or touching, such as by sharing a common lot line. Lots that are separated by a street or right-of-way are not abutting.

Accessory Structure or Building – A subordinate building or structure that is incidental to the primary or principal building or structure on the same lot, or an abutting lot that meets the requirements in BIMC Section 18.09.030(I)(14)(c). Accessory structures include, but are not limited to, solar panels, small wind devices, barns and sheds. Accessory dwelling units are not considered accessory buildings or structures.

Accessory Dwelling Unit – Accessory dwelling unit means separate living quarters containing kitchen facilities, where the living quarters are contained within or detached from a single-family dwelling on a single lot.

Accessory Development – Any development incidental to and subordinate to a principal use of a shoreline site and located on adjacent thereto.

Accessory Use – A use that is customarily incidental and related to the principal use on the same lot. Accessory dwelling units are not considered accessory uses.

Accretion – The growth, expansion, build up, or deposit of material associated with a natural fluid flow process.

Accretion Beach – A place where sediment, usually sand, falls out or accumulates, causing the beach to widen. These sinks are usually, but not always, at the terminal end of littoral drift cell.

Accretion Shoreform – The growth of a beach by the addition of material transported by wind and/or water. A shoreline with a relatively stable berg and backshore that has been built up by long term deposition of sand and gravel transported by wind and/or water from a feeder bluff or other material source. Examples of accretion shoreforms includes shoreline features such as barrier beaches, accretion beaches, points, sand spits, hooks, and tombolos.

Act – The Shoreline Management Act of 1971, Chapter 90.58 RCW, or its successor [WAC 173-26-020(1), or its successor].

Activity – Human activity associated with the use of land or resources [regulated by this Program](#).

Adjacent –That which is near or close; for example, a property located across the road or highway shall be considered as adjacent.

Adjacent Lands – Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction).

Adjoining – Immediately abutting or separated only by a street right-of-way.

Administrator – Director of the Department of Planning and Community Development, or designee, charged with responsibility for administering the Shoreline Master Program.

Anthropogenic – Landscape alteration relating to, or from human development, use, action or activity.

Adverse Impact – An impact that can be measured or is tangible and has a reasonable likelihood of causing moderate or greater harm to ecological functions or processes or other elements of the shoreline environment.

Agricultural Land – Land primarily devoted to agricultural operations.

Agriculture Operations – Any facility or activity for the production for production for commercial or family use purposes of dairy, apiary, livestock, camelids, ratites, vegetable or animal products, and crop products including, but not limited to, ornamental crops. Incidental vegetable gardening, landscaping and keeping common pets are not defined as agriculture. Agriculture operations include upland fish farms which are self-contained, meaning they do not connect with waters of the state such as: natural or channelized stream, tributary, wetland, or marine water body.

Agricultural Activities – Agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation.

Alteration – Any human induced change in an existing condition of a shoreline, critical area and/or its buffer. Alterations include, but are not limited to grading, filling, channelizing, dredging, clearing (vegetation), draining, construction, compaction, excavation, or any other activity that changes the character of the area.

Alteration, structure -- a change, modification, expansion or adjustment.

Anadromous Fish – Species such as salmon, which are born in freshwater, spend most of their life cycle in saltwater, and return to freshwater to reproduce.

Applicant – An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency, or the state or local governmental unit, however designated [RCW 90.58.030(1)(d) or its successor].

Appurtenance – A structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and/or the perimeter of a wetland. An appurtenance can include a garage, boat house, deck, driveway, utilities, fences, and grading which does not exceed two hundred fifty (250) cubic yards (except to construct a conventional drainfield) [WAC 173-27-040(2)(g), or its successor].

Appurtenance, Primary – A structure or development connected to a single-family residence and considered essential to the principal residential use when protecting the appurtenant structure from danger from active shoreline erosion. An attached garage or one detached garage and a

septic drainfield are primary residential appurtenances. [WAC 173-26-231(3)(a)(ii), or its successor].

Aquaculture – The culture or farming of fish, shellfish, or other aquatic plants and animals. Aquaculture does not include the harvest of wild geoduck associated with the state-managed wildstock geoduck fishery. Upland finfish rearing facilities are included in the definition of agriculture and are not considered aquaculture for the purpose of this SMP. Aquaculture activities include, but are not limited to, the hatching, cultivating, planting, feeding, raising, and harvesting of aquatic plants and animals, and the maintenance and construction of necessary equipment and buildings. Cultivation methods include, but are not limited to, fish pens, shellfish rafts, racks and long lines, seaweed floats and nets, and the planting and harvesting of clams and oysters.

Aquaculture, Shellfish Garden – The cultivation, harvesting, and incidental preparation of shellfish for personal human use and consumption on public and private tidelands

Aquaculture Practices – Any activity directly pertaining to growing, handling, or harvesting of aquaculture produce including, but not limited to, propagation, stocking, feeding, disease treatment, waste disposal, water use, development of habitat and structures. Excluded from this definition are related commercial or industrial uses such as wholesale and retail sales, or final processing and freezing.

Aquaculture Processing – A commercial or industrial activity that involves preparing, fish or shellfish for human use or consumption by packaging, canning, freezing or other means of final wholesale or retail production.

Aquifer recharge protection area -- A portion of a development site comprised of native or equivalent vegetation in which existing vegetation, topography and supporting soils are free of development, uses or activities detrimental to the aquifer recharge of the total site area.

Arborist -- An individual engaged in the profession of arboriculture who, through experience, education, and related training, possesses the competence to provide for or supervise the management of trees and other woody plants. Must be concurrently an International Society of Arboriculture (ISA) Certified Arborist to perform any role required of a Certified Arborist.

Arborist, ISA Certified -- An arborist holding a current International Society of Arboriculture (ISA) Certified Arborist credential.

Arborist, Tree Risk Assessment Qualified (TRAQ) -- An arborist who has successfully completed the International Society of Arboriculture (ISA) TRAQ training course and assessment and holds a valid ISA TRAQ credential.

Archaeological – Having to do with the scientific study of material remains of past human life and activities.

Archeological Resource – Any material remains of human life or activities which are at least fifty (50) years old and which have potential to provide new information in the fields of history

and archaeology. This shall include all sites, objects, structures, artifacts, implements and locations of prehistoric or archeological interest. This shall include but not be limited to burial grounds, campsites, dwellings, and implements, such as projectile points, basketry, grinding stones or pestles, carvings and paintings. This shall include material remains of human life or activities from historic periods that are located at least partially below the ground surface necessitating the use of archeological methods for study or recovery. “Significant” is that quality in American history, architecture, archaeology, engineering, and culture that is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and;

- a. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. That are associated with the lives of significant persons in our past; or
- c. That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. That have yielded or may be likely to yield, information in history or prehistory.

Archaeologist, Professional – A person who meets the minimum qualifications of the secretary of the interior’s standards for a professional archaeologist [WAC 27.53.030, or its successor] and the following: who has designed and executed an archaeological study as evidenced by a thesis or dissertation and has been awarded an advanced degree such as an M.A., M.S., or Ph.D. from an accredited institution of higher education in archaeology, anthropology, or history or other germane discipline with a specialization in archaeology; has a minimum of one (1) year of field experience with at least twenty-four (24) weeks of field work under the supervision of a professional archaeologist, including no less than twelve (12) weeks of survey or reconnaissance work, and at least eight (8) weeks of supervised laboratory experience. Twenty (20) weeks of field work in a supervisory capacity must be documentable with a report produced by the individual on the field work.

Architectural Element – Aesthetic components of a primary building or structure that accents the overall design of the structure. A chimney may be considered an architectural element.

Associated Wetlands – Wetlands that are in proximity to tidal water, lakes, rivers or streams that are subject to the Shoreline Management Act and either influence or are influenced by such waters. Factors used to determine proximity and influence include, but are not limited to: location contiguous to a shoreline water body, formation by tidally influenced geo-hydraulic processes, presence of a surface connection including through a culvert or tide gate, location in part or whole within the one hundred (100) -year floodplain of a shoreline, periodic inundation, and/or hydraulic continuity.

Aquatic – Those areas waterward of the ordinary high water mark.

Average Grade Level – The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or

structure, provided that, in case of structures to be built over water, average grade level shall be the elevation of ordinary high water. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure [WAC 173-27-030(3) or its successor]. Note: This definition of “average grade level” differs from the definition in the City of Bainbridge Island Zoning Code (Chapter 18 of the City of Bainbridge Island Municipal Code). Structures within shoreline jurisdiction shall comply with the definition contained herein.

Backshore – The accretion or erosion zone, located landward of the line of ordinary high water, which is normally wetted only by storm tides. A backshore may take the form of a more or less narrow storm berg (ridge of wave-heaped sand and/or gravel) under a bluff, or it may constitute a broader complex of berms, marshes, meadows, or dunes landward of the line of ordinary high water. It is part of the littoral drift process along its waterward boundary.

Backshore Marina – See Marina

Bank stabilization -- Modification used for the purpose of preventing erosion, protecting channels, and retaining uplands.

Barrier Beach – A linear ridge of sand or gravel extending above high tide, built by wave action and sediment deposition seaward of the original coast line; includes a variety of depositional coastal landforms.

Barrier Estuary – estuary isolated from open bodies of water by a barrier, with tidal exchange occurring through a narrow entrance channel. Usually but not always associated with a significant fresh water source.

Barrier Lagoon – barrier built lagoons that lack significant freshwater source, only coincidentally associated with streams of significant upland catchment areas. See Lagoon and Tidal Lagoon.

Bathymetry – Depth of a water body relative to sea level, may include underwater features and shapes.

Beach – The zone of unconsolidated material that is moved by waves, wind, and tidal currents, extending landward to the coastline.

Beach Face – The steep part of the beach profile below the berg, which is normally exposed to the swash of waves and generally composed of gravel, although it can contain sand or boulders.

Beach Enhancement – The alteration of terrestrial, tidal shorelines or submerged shorelines for the purposes of habitat improvement, creation, recreational enhancement, or soft-treatment stabilization. The materials used depend upon the intended use. The following are examples of materials which may be used in enhancement projects:

- a) Various grades of clean sand or pea gravel to create a beach for recreational purposes.
- b) A combination of a rock matrix and sand or other materials to restore or recreate a shore feature or an underwater aquatic environment (e.g. a reef).
- c) Use of native vegetation to restore marine riparian habitat functions native vegetation.

Beach Nourishment – The process of replenishing a beach by artificial means; e.g., by delivery of selected materials excavated from elsewhere and depositing it at one or several locations in the updrift portion of a drift cell. The material is then naturally transported by waves or currents downdrift to stabilize or restore accretion shoreforms and other berms, which may be eroding due to artificial obstructions in the shore process corridor.

Beach Profile – A vertical cross section of a beach measured perpendicular to the shoreline.

Beach Restoration – The alteration of terrestrial and tidal shorelines or submerged shorelines for the purposes of aquatic habitat, re-establishing ecological function and ecosystem wide processes such that the ecosystem is self-sustaining.

Beach Scarp – A steep slope formed in response to the lowering of the beach profile and landward expansion of the beach face into the backshore as a result of wave erosion. A beach scarp is normally associated with a beach berm.

Bedlands – Those submerged lands below the line of extreme low water in marine waters.

Benthic Community – A grouping of benthic organisms that live in and on the bottom of the ocean floor.

Benthic Organisms – Organisms that live in or on the bottom of a body of water.

Berm (Beach Berm) – The nearly horizontal portion at the beach or backshore formed by the deposition of sediments by waves. Some beaches have more than one berm at slightly different levels, separated by a scarp. A berm is also, a soft-treatment form of shoreline stabilization or a linear mound used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

Best Available Technology – The most effective method, technique, or product available which is generally accepted in the field, and which is demonstrated to be reliable, effective, and (preferably) low maintenance.

Best available science (BAS) -- Scientifically valid information derived in accordance with WAC 365-195-900 through 925, or as amended, that is used to develop and implement critical areas policies or regulations.

Best Management Practice (BMP) – Industry-established guidelines that are advised to reduce or eliminate anticipated adverse impacts to the environment from construction, development or other human activity.

BIMC – Bainbridge Island Municipal Code.

Biocide – See pesticide

Biodiversity areas and corridors -- Areas of habitat that are relatively important to various species of native fish and wildlife.

a. Biodiversity areas.

i. The area has been identified as biologically diverse through a scientifically based assessment conducted over a landscape scale (e.g., ecoregion, county- or city-wide,

- watershed, etc.). Examples include but are not limited to WDFW Local Habitat Assessments, Pierce County Biodiversity Network, and Spokane County's Wildlife Corridors and Landscape Linkages; or
- ii. The area is within a city or an urban growth area (UGA) and contains valuable fish or wildlife habitat and is mostly comprised of native vegetation. Relative to other vegetated areas in the same city or UGA, the mapped area is vertically diverse (e.g., multiple canopy layers, snags, or downed wood), horizontally diverse (e.g., contains a mosaic of native habitats), or supports a diverse community of species as identified by a qualified professional who has a degree in biology or closely related field and professional experience related to the habitats or species occurring in the biodiversity area. These areas may have more limited wildlife functions than other priority habitat areas due to the general nature and constraints of these sites in that they are often isolated or surrounded by highly urbanized lands.
 - b. Corridors. Corridors are areas of relatively undisturbed and unbroken tracts of vegetation that connect fish and wildlife habitat conservation areas, priority habitats, areas identified as biologically diverse, or valuable habitats within the city.

Biofiltration System – A stormwater or other drainage treatment system that utilizes as a primary feature the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds, and other vegetative features.

Biological Diversity; Biodiversity – The range of physical (habitat) and biological (species, communities) components, the ways that species interact with the physical environment, and the processes necessary to maintain these interactions through time.

Bioengineering – See Shoreline Stabilization, Bioengineered

Biophysical – Physics of biological functions and ecosystem-wide processes.

Biota – The animals and plants that live in a particular location or region.

Bluff, Marine – A high, steep bank or cliff.

BMP – See Best Management Practices.

Boat House – A building used primarily for boat storage.

Boat Launch or Ramp – Graded slopes, slabs, pads, or planks, used for launching boats by means of a trailer, hand, or mechanical device.

Boat Lift – An in-water structure used for the dry berthing of vessels above the water level and lowering of vessels into the water. A boat lift as herein defined is used to berth and launch a single vessel, suspended over the water's surface. A boat lift is a manufactured unit without a canopy cover and may be placed in the water adjacent to a dock, attached to the dock, or as stand-alone structure. A boat lift may be designed either for boats or personal watercraft. A boat lift with a canopy cover shall be considered moorage for the purposes of this Program.

Boating Facilities – Includes marinas, boat launch facilities, dry storage facilities, marine travel lifts, and fixed marine railways serving commercial, industrial uses or serving five or more single-family residences.

Boat Storage Deck – A deck used for the storage of boats.

Bog – A low-nutrient, acidic wetland with organic soils and characteristic bog plants, as described in Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-29, October 2014).

Breakwater – Offshore structure, usually aligned parallel to shore, sometimes shore-connected, that provides protection from waves. The primary purpose is to protect harbors, moorages and navigation activity from wave and wind action by creating stillwater areas along shore. A secondary purpose is to protect shorelines from wave caused erosion.

Buffer – An area of land that is designed and designated to permanently remain vegetated in a predominantly undisturbed and natural condition and/or an area that may need to be enhanced to support ecological processes, or ecosystem-wide functions and to protect an adjacent aquatic or wetland area from upland impacts and to provide habitat for wildlife. Buffer widths vary depending on the relative quality and sensitivity of the area being protected. The “Shoreline Buffer” is a buffer protecting the ecology and resources of and along the Puget Sound. A buffer may be used to protect any sensitive area, including geological hazardous areas.

Building – Any structure having a roof, designated for shelter of persons, animals or property.

Bulkhead – A wall erected generally parallel to and located at or close to the ordinary high water mark for the purpose of containing and preventing the loss of soil due to shoreline erosion caused by tidal action, current or waves. Bulkheads are usually constructed of hard materials and may be built of concrete, large rocks (riprap), or other materials. See also Seawall.

Canopy Area – See canopy coverage.

Canopy Coverage – The crown area of native shrubs and trees as measured from plan view.

Central Puget Lowland – The low areas between the Olympic and Cascade Mountain ranges extending from Admiralty Inlet and the Tacoma Narrows.

Channel – An open conduit for water either naturally or artificially created, but not including artificially created irrigation, return flow, or stock watering channels. [WAC 173-22-030(8b) or its successor]. See also Stream.

Channel Migration Zone (CMZ) – The area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings.

City – The City of Bainbridge Island.

Clean Water Act – The primary federal law providing water pollution prevention and control. This was previously known as the Federal Water Pollution Control Act. (See 33 USC 1251 et seq.)

Clearing – Clearing means the destruction or removal of vegetation or plant cover including, but not limited to, root material removal by manual, mechanical, or chemical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, or uprooting.

Coastal Dune – A transitional zone between the marine and the continental processes and are a part of the sand sharing system between the dune, the beach, and the offshore bars.

Coastal Landform, Depositional – See accretion shoreform.

Coastal Processes – Collective term including the action of natural forces on the shoreline, and the nearshore seabed.

Coastline – The line where terrestrial processes give way to marine processes – tidal currents, wind waves, etc.

Commercial Development – Those developments whose principal use is for retail, personal and professional service or other commercial business activities. Included in this definition are developments such as hotels, motels, shops, restaurants, banks, professional offices, grocery stores, and laundromats. Not included, marinas, home occupations, utilities, and related utility development.

Commercial Fish – Those species of fish that are classified under the Washington Department of Fish and Wildlife Food Fish Classification as commercial fish (WAC 220-12-010).

Community Structure – A building, dock, or other structure which is intended for the common use of the residents of a particular subdivision or community. It is not intended to serve as a public facility.

Community or Joint-use Dock – A structure or structures which consists of a system of piers, buoys, or floats that is intended for the common use of the residents of adjoining parcels or subdivision, short subdivision or community located on adjacent uplands. A community dock is not a commercial endeavor or for the purpose of serving the public. If a community or joint-use dock is designed to accommodate six (6) or more vessels, it is no longer considered a community or joint-use dock, and it shall be considered a marina.

Compensatory Mitigation – A project for the purpose of mitigating, at an equivalent or greater level, unavoidable impacts that remain after all appropriate and practicable avoidance and minimization measures have been implemented. Compensatory mitigation includes, but is not limited to, wetland creation, restoration, enhancement, and preservation; stream restoration and relocation, rehabilitation; and buffer enhancement.

Conditional Use – A use or the expansion of a use permitted on shorelines which, because of certain characteristics, requires a special degree of review and consideration, and may require special conditions to assure that it is consistent with the intent and provisions of the Act and these regulations, and compatible with other uses permitted on shorelines.

Conditional Use Permit – A permit for a use, development or substantial development listed in the regulations as being permitted only as a conditional use, or not classified in this Program. Conditional uses are subject to review and approval pursuant to the provisions of BIMC Section 2.16.165(H) regardless of whether or not the proposal requires a substantial development permit.

Conservation Easement – A legal agreement that the property owner enters into to restrict uses of the land for purposes of natural resources conservation. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property.

Construction Limit Line – In Eagle Harbor, defined on U.S. Army Corps of Engineers, Drawing, File No. E-8-5-6, dated December 22, 1939, approved by the Secretary of War, July 2, 1940. Used in the Master Program for local regulatory purposes.

Contaminant – Any chemical, physical biological, or radiological substance that does not occur naturally in ground water, air, or soil or that occurs at concentrations greater than those in the natural levels [WAC 173-200-020(7)].

Coppicing – Managing of strongly-regenerative species of trees and shrubs by an initial heading cut (leaving a stump) and allowing new shoots to grow to maintain live roots. Shoots may be reduced to their point of origin at appropriate intervals of time without disturbing the resulting coppice head (stump).

Council – Legislative body of the City of Bainbridge Island.

Covered Moorage – A roofed floating or fixed offshore structure with or without walls, for boat moorage or moorage of other water craft or float planes, designed to protect a vessel or vessels.

Critical Aquifer Recharge Area – Areas designated by WAC 365-190-080(2) that are determined to have critical recharging effect on aquifers (i.e., maintain the quality and quantity of water) use for portable water as defined by WAC 365-196-485(1)(d).

Critical Areas – The following areas are designated as critical areas:

- a. Critical Aquifer Recharge Areas
- b. Fish and Wildlife Habitat Conservation Areas
- c. Frequently Flooded Areas
- d. Geologically Hazardous Areas
- e. Wetlands
- f. Critical Saltwater and Freshwater Habitat Areas
- g. Critical Habitat

Critical facilities – Facilities that are essential to the health and welfare of the community, including services that protect life and property. Such facilities include, but are not limited to, hospitals, emergency clinics, police and fire stations, emergency vehicle and equipment storage facilities,

emergency operations centers, aviation control centers, and utility facilities such as sewage treatment plants and electric transmission substations.

Critical Habitat – Habitat areas identified by U.S. Fish and Wildlife Service or the National Marine Fisheries Service as habitat necessary for survival of endangered or threatened species.

Critical Saltwater Habitat - Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sand lance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association [WAC 173-26-221(2)(c)(iii)].

Cultural Resource – Evidence of human occupation or activity that is important in the history, architecture, archaeology or culture of a community or region. Cultural resources include, but are not limited to, the following:

- a. Archaeological resources. Physical evidence of ruins of human occupation or activity that are located on or below the surface of the ground and are at least 50 years old.
 - i. Archaeological resources include, but are not limited to, the remains of houses, villages, camp and fishing sites, and cave shelters; rock art such as petroglyphs and pictographs; artifacts such as arrowheads, utensils, tools, fragments of tools and utensils, obsidian flakes or other material by-products from tool and utensil-making activities; and graves, human remains, and associated artifacts.
- b. Historic buildings and structures. Standing or above-ground buildings and structures that are at least 50 years old.
 - i. Historic buildings and structures include, but are not limited to, log cabins, barns, canals, flumes, pipelines, highways, and tunnels.
- c. Traditional cultural properties. Locations, buildings, structures, and objects that are associated with cultural beliefs, customs, or practices of a living community that are rooted in that community's history and are important in maintaining the continuing cultural identity of the community.
 - i. Traditional cultural properties include, but are not limited to, a location associated with the traditional beliefs of a Native American group about its origins or its cultural history; a location where a community has traditionally carried out artistic or other cultural practices important in maintaining its historical identity; and a location where Native American religious practitioners have historically gone, and go today, to perform ceremonial activities. Objects may include petroglyphs, pictographs, rock cairns or other rock structures, trees, and rock outcrops.

Cumulative Effects – The combined environmental impacts that accrue over time and space from a series of similar or related individual actions, contaminants, or projects. Although each action may seem to have negligible effect, the combined effect can be significant.

Cutting, vegetation – The removal of the main trunk or stem of a small tree for the purposes of controlling aggressive or weedy species.

Dam – A barrier across a stream or river to confine or regulate flow or raise water levels for purposes such as flood or irrigation water storage, erosion control, power generation, or collection of sediment or debris.

Davit – A fixed crane intended to lift boats or cargo.

Degrade – To scale down in desirability or salability, to impair in respect to some physical property, or to reduce in structure or function.

Department – The city’s Department of Planning and Community Development.

De Minimis – Minor or trivial impact which cannot be measured or is not quantifiable.

Deposition – The deposit of sediment in an area though natural means such as wave action or currents; may also be done through mechanical means by humans.

Development – A use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or materials; bulkheading; pile driving; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any state of water level, subject to RCW Chapter 90.58 or its successor [RCW 90.58.030(3)(d) or its successor]. This term may include activities related to subdivisions and short subdivisions; clearing activity; land modification (grade and fill work); building or construction; and activities that are exempt from the substantial development permit process or that require a shoreline variance or conditional use.

Development Area – the approved portion of a project site that is developed, including the building pad and all graded slopes, all structures, landscaped areas, driveway and parking areas.

Development Regulations – The controls placed on development or land uses by the City, including, but not limited to, zoning ordinances, critical areas ordinances, all portions of a shoreline master program other than goals and policies approved or adopted under RCW Chapter 90.58 , and subdivision ordinances together with any amendments thereto.

Dike – an artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting land from flooding.

Director – The director of the ~~department~~ city’s Planning and Community Development Department or his/her designee.

Dock – A fixed platform structure anchored in and floating upon a water body that abuts the shore intended to provide landing which may include a ramp, pier, and float; generally used as a landing for water-dependent recreation or moorage for commercial and/or pleasure craft. Excluded are boat launch or boat ramps.

Dock, Joint or Community – A dock, pier and/or float for pleasure craft moorage or water recreation for exclusive personal use of multiple waterfront lot owners.

Downdrift – The direction of predominant alongshore sediment transport.

Dredge – To excavate or deepen a water body by removing aquatic substrate material. Also mechanical or hydraulic equipment used for excavation.

Dredge Spoil – The material removed by dredging. Same as dredge material.

Dredged Material Disposal – Depositing of dredged materials on land or into water bodies.

Dredging – Removal or displacement of earth or sediments such as gravel, sand, mud or silt, and/or other materials or debris from any stream, river, lake or marine water body, and associated shorelines and wetlands. Dredging is normally done for specific purposes or uses such as constructing and maintaining navigation channels, turning basins, harbors and marinas; installing submarine pipelines or cable crossing; or repairing and maintaining dikes or drainage systems. Dredging can be accomplished with mechanical or hydraulic machines. Most dredging is done to maintain channel depths or berths for navigational purposes; other dredging is for shellfish harvesting or cleanup of polluted sediments.

Drift Cell or Drift Sector – Drift cell, drift sector or littoral cell means a particular segment or reach of marine shore in which littoral sediment movement or drift may occur without significant interruption, and which contains any and all natural sources of such drift as well as any shoreform(s) accreted by such drift. Each normal drift cell contains these shore process elements: a feed source that supplies the sediments (feeder bluff or estuary), a driftway, along which the sediment can move, and accretion terminal where the drift material is deposited (accretion shoreform).

Drift Sills – Small groins which hold sediments in place without blocking longshore drift.

Driftway – That portion of the shore process corridor, primarily that lower backshore and the upper intertidal area, through which sand and gravel are transported by the littoral drift process. It is the critical link between the feeder bluff and the accretion shoreform.

Dune – A hill or ridge of sand piled up by the wind and/or wave action.

Ecologically Intact – Those shoreline areas that retain the majority of their natural processes as evidenced by the shoreline configuration and the presence of vegetation or retain the ability to support vegetation. These areas may be partially developed.

Ecological functions or shoreline functions – The work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem. See WAC Section 173-26-201(2)(c). Functions include, but are not limited to, habitat diversity and food chain support for fish and wildlife, ground water recharge and discharge, high primary productivity, low flow stream water contribution, sediment stabilization and erosion control, storm and water quality enhancement through biofiltration and retention of sediments, nutrients, and toxicants. These beneficial roles are not listed in order of priority.

Ecology (Washington State Department of Ecology) – Use of “Ecology” or “Washington State Department of Ecology”.

Ecosystem-wide processes – The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a

specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Educational or scientific activities – Controlled and/or supervised scientific activities or educational activities that are associated with an educational or scientific program that result in no adverse impacts to critical areas or their buffers.

Embankment – An artificial bank such as a mound or dike, generally built to hold back water or carry a roadway.

Embayment - A broad term for an inlet or indentation in the coastline. In this Program, it is restricted to features partly isolated from the rest of Puget Sound by their configuration and sufficiently small to limit wave action and beach processes. Also included are wetlands or other back-barrier water bodies isolated from direct tidal influence (surface exchange). Embayments include barrier estuaries and lagoons and may include some stream mouths and the heads of small bays.

Emergency – An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a timer too short to allow full compliance with the Master Program. Emergency construction is construed narrowly as that which is necessary to protect property from the elements and does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the Administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency, pursuant to the Master Program and RCW 90.58.030(3)(e)(iii); WAC 173-27-040(2)(d), or its successor. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not considered an emergency.

Engineering geologist – A practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.

Enhancement – An action or alteration performed within an existing degraded shoreline, critical area, habitat and/or buffer to intentionally improve, increase or augment one or more functions or values of the existing area without degrading other functions. Enhancement actions include, but are not limited to, increasing plant diversity and cover, increasing wildlife habitat and structural complexity (snags, woody debris), installing environmentally compatible erosion controls, or removing non-indigenous plant or animal species. Enhancements are to be distinguished from wetland/habitat creation or restoration projects by the need for on-going assistance to maintain the improved function.

Envelope – The enclosing shell of a building's volume.

Erosion – The wearing away of land by the action of natural forces, such as wind, rain, water and other natural agents that mobilize, transport, and deposit soil particles; On a beach, the carrying away of beach material by wave actions, tidal currents, or littoral currents.

Erosion Hazard Area – A landform or soil type subject to being worn away by the action of water, wind, freeze-thaw, or ice, including areas rated in the Soil Survey of Kitsap County Area, Washington, USDA (1980), as having severe hazard of water erosion; areas classified in the Department of Ecology Coastal Zone Atlas as Class 3, unstable, Class 3, unstable old slides, or Class 5, unstable recent slide; soils identified by the U.S. Department of Agriculture Natural Resource Conservation Service (NCRS) as having “severe” or “very severe” erosion hazards; and/or soils subject to impacts from shoreline retreat.

Estuary – A semi-enclosed coastal body of water in which fresh water and salt water mingle and affect the ~~total~~ land and water habitat. See also Pocket Estuary.

Estuary, Pocket – see **Pocket Estuary**

Essential Public Facility – Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140; regional transit authority facilities as defined in RCW 81.112.020; state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.[RCW 36.70A.200, or its successor]

Essential Single-Family Residential Accessory Structure – An accessory structure that contains a use or is intended for a use that is essential to a single-family residential principal use. The following structures shall be considered an essential residential structure: a garage or carport, one septic system (including one tank and one on-site septic drainfield), one well house and associated well head, and existing decks attached to the primary structure.

Estuarine, wetland – A vegetated wetland that is predominantly tidal, as described in Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-29, October 2014).

Estuarine Zone, Estuary – The zero-gradient sector of a stream where it flows into a standing body of water, together with associated wetlands. Tidal flows reverse flow in this zone twice daily, determining its upstream limit. It is characterized by low bank channels branching off the main streamway to form a broad, near-level delta. The bank, bed, and delta materials are typically silt and clay. Banks are stable with vegetation ranging from marsh to forest, and the water is usually brackish due to daily mixing and layering of fresh and salt water. Estuarine shores are rich in aquatic and other bird and animal life, and in their natural condition are the most productive of all shoreline habitats in terms of the marine food chain.

Excavation –The disturbance, displacement and/or disposal of unconsolidated earth material such as silt, sand, gravel, soil, rock or other material from all areas landward of OHWM.

Exemption or Exempt Development – Certain developments as listed in WAC 173-27-040 and Chapter 90.58 RCW are exempt from the definition of substantial developments and, therefore, are exempt from the substantial development permit process of the Shoreline Management Act. An activity that is exempt from the substantial development provisions of the Shoreline Management Act must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also be required

even though the activity does not need a substantial development permit. [RCW 90.58.030(3)(e) or its successor; WAC 173-27-030(7) and WAC 173-27-040, or its successor].

~~**Existing Development** – Legally established structures which do not conform to the provisions in the 1996 Shoreline Master Program, as amended by ordinance 2013 on xx xx, 2013. Development that was lawfully constructed, approved or established.~~

Extreme High Tide – The highest tide level reached in a nineteen (19) year tidal cycle.

Extreme Low Tide – The lowest line on the land reached by a receding tide [RCW 90.58.030(2)(a) or its successor]. For the purposes of the Shoreline Master Program, it is the contour 4.5 feet below Mean Lower Low Water (datum Plane 0.0) [WAC 332-30-106 (18), or its successor].

Fair Market Value – The expected price at which the development can be sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping, or filling, the fair market value is the expected cost of hiring a contractor to perform the operation, or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project [WAC 173-27-030(8), or its successor].

Feasible – When an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions: (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (b) The action does not physically preclude achieving the project's primary intended legal use. In cases where these guidelines require certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Feasible Location – A location that accommodates a development in a manner that achieves its intended purpose consistent with the constraints of the applicable land use regulations and characteristics of the property, including but not limited to lot size, configuration, presence/absence of critical areas and compatibility with adjacent land use/development. Feasibility shall take into account both short and long-term monetary and non-monetary costs and benefits.

Feeder Bluff, Erosional Bluff – Any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, whose eroded earth, sand, or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform. These natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

Fetch – The distance over unobstructed open water on which waves are generated by a wind having constant direction and speed.

Fill – The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area landward or waterward of the OHWM, in wetlands, or on shorelands in a manner that raises the elevation or creates dry land. See Landfill.

Fill Material – Any solid or semi-solid material, including rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure that, when placed, changes the grade or elevation of the receiving site.

Fish – Species of the vertebrate taxonomic groups *Cephalospidomorphi* and *Osteichthyes*

Fish and Wildlife Habitat Conservation Areas – Areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company. A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.

Fish habitat – Habitat which is used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management and includes off-channel habitat.

Fisheries – All species of fish and shellfish commonly or regularly originating or harvested commercially or for sport in Puget Sound and its tributary freshwater bodies, together with the aquatic plants and animals and habitat needed for continued propagation and growth of such species.

Fisheries biologist – A person with experience and training in fisheries who is able to submit substantially correct reports on fish population surveys, stream surveys and other related data analyses of fisheries resources. "Substantially correct" means that technical or scientific errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a fisheries biologist include:

- a. Either:
 - i. Certification by the American Fisheries Society, or;
 - ii. Bachelor of Science degree in fisheries or the biological sciences from an accredited institution and five years of professional fisheries experience; and
- b. The prior successful completion of at least three habitat management plans.

Fisheries Enhancement – Actions taken to rehabilitate, maintain or create fisheries habitat, including but not limited to hatcheries, spawning channels, lake rehabilitation, planting of fisheries stocks. Fisheries Enhancement differs from Aquaculture in that the increase in fisheries stocks eventually becomes available for public harvest.

Float – A floating platform that moves vertically with a tide and is anchored or attached to a fixed or anchored overwater structure or an anchoring system.

Float, Recreational – A float used primarily for swimming, diving, water skiing, or other recreational purpose and not for the moorage of watercraft.

Floating Aquaculture Facility – Open water aquaculture facility which consists of a mooring system and/or floats.

Floating house - any floating structure that is designed, or has been substantially and structurally remodeled or redesigned, to serve primarily as a residence. "Floating houses" include house boats, house barges, or any floating structures that serve primarily as a residence and do not qualify as a vessel as provided in subsection (74) of this section. A floating structure that is used as a residence and is capable of navigation, but is not designed primarily for navigation, nor normally is capable of self propulsion and use as a means of transportation is a floating house, not a vessel.

Flood or Flooding, Coastal – A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Protection Measures – All development on water bodies, usually rivers and streams, designed to retard bank erosion, to reduce flooding of adjacent lands, to control or divert stream flow, or to create a reservoir, including but not limited to revetments, dikes, levees, channelization, dams, vegetative stabilization, weirs, flood and tidal gates. Excluded are water pump apparatus.

Flood Hazard; Flood Hazard Management – A long term program or major project carried out on a single parcel or coordinated on a series of parcels for the primary purpose of preventing or mitigating damage to life and property and to minimize public expenses due to flooding through a comprehensive system of planning development regulations, building standards, structural works, and monitoring and warning systems. Flood hazard management projects or programs may employ physical and/or regulatory controls.

Floodplain – Synonymous with one hundred-year floodplain, this is the land area susceptible to being inundated by stream-derived waters with a one percent chance of being equaled or exceeded in any given year. The limits of this area are based on flood regulation and ordinance maps or a reasonable method that meets the objectives of the Shoreline Management Act [WAC 173-26-020(17) or its successor].

Floodway – Those areas or portions of the areas as identified in the Master Program that are either (a) established in federal emergency management agency flood insurance rate maps or floodway maps or (b) those portions of a river valley lying streamward from the outer limits of a watercourse, and upon which flood waters are carried during periods of flooding that occur with reasonable regularity, through not necessarily annually. The floodway is identified, under normal conditions, by changes in surface soil conditions, or changes in types or quality of vegetative ground cover conditions. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under

license from the federal government, the state, or a political subdivision of the state. The limits of the floodway are based on flood regulation ordinance maps or by a reasonable method which meets the objectives of the Shoreline Management Act. [RCW 90.58.030(2)(g) or its successor].

Foreshore – In general terms, the intertidal area between mean higher high water and mean lower low water.

Foreshore Marina – See Marina.

Forest Practice – Any activity conducted on, or directly related to, forest land and relating to growing, harvesting, or processing timber. This includes (1) site preparation and regeneration, (2) protection from insects, fire, and disease, (3) silvicultural practices such as thinning, fertilization, and release from competing vegetation, and (4) harvesting. Forest practices do not include log storage. (See industrial use.) These activities include, but are not limited to, road and trail construction, final and intermediate harvesting, pre-commercial thinning, reforestation, fertilization, prevention and suppression of disease and insects, salvage of trees, and brush control. See WAC 222-16-010 or its successor.

Forest Land – All land which is capable of supporting a merchantable stand of timber and is not being actively used in a way which is incompatible with timber growing [WAC 222-16-010 or its successor].

Frequently Flooded Areas – Lands subject to a one percent or greater chance of flooding in any given year, as determined by the Federal Emergency Management Agency. These areas include, but are not limited to, floodplains adjacent to streams, lakes, coastal areas, and wetlands. (Also see BIMC Chapter 15.16, Flood Damage Prevention.)

Functional Grating – A floor or decking material which is permeable.

Functions and values – The natural processes and beneficial roles performed or provided by critical areas including, but not limited to, water quality and quantity protection and enhancement, providing fish and wildlife habitat, supporting terrestrial and aquatic food chains, providing flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, protecting aesthetic value, and providing recreational and educational opportunities. These roles are not listed in order of priority.

Gabions – Structures composed of masses of rocks, rubble, or masonry held tightly together, usually by wire mesh, to form blocks or walls. Sometimes used on heavy erosion areas to retard wave action, or as foundations for breakwaters or jetties.

Geologically Hazardous Areas – Areas susceptible to significant erosion, sliding, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas.

Geomorphology – The shape or form of a natural surface or object. Also, the study of the forms of the land surface and the processes producing them.

Geotechnical Engineer – Practicing geotechnical/civil engineer who has a valid Washington State engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in RCW Chapter 18.43.

Geotechnical report or geotechnical analysis – A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading – An activity associated with land modification or maintenance; grading means the physical movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

Grassy Swale – A vegetated drainage channel that is designed to remove various pollutants from stormwater runoff through biofiltration.

Groins – This is a rigid, barrier-type structure extending on an angle waterward from the shore into the intertidal zone. Their purpose is to build or preserve an accretion shoreform or berm on their updrift side by trapping littoral drift to protect a shoreline and adjacent upland by influencing the movement of water and/or deposition of materials. Groins are relatively narrow in width but vary greatly in length. Groins are sometimes built in series as a system, and may be permeable or impermeable, high or low, and fixed or adjustable.

Growth Management Act – RCW 36.70A, as amended

Guidelines – Those standards adopted by the Washington State Department of Ecology under WAC 173-26, intended to implement the policy of the Shoreline Management Act, RCW Chapter 90.58, for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards provide criteria for local governments and the Department of Ecology in developing and amending master programs.

Habitat – The place or type of site where a plant or animal naturally or normally lives and grows.

Habitat Function – The use and benefits of physical and biological factors to associated biological communities of organisms.

Habitat Management Plan (HMP) – A report prepared by a professional wildlife biologist or fisheries biologist which discusses and evaluates critical fish and wildlife habitat functions and identifies and evaluates measures necessary to maintain, enhance and improve terrestrial and/or aquatic habitat on a proposed development site.

Habitat of Local Importance – An area representing either high quality habitat for native terrestrial or aquatic species or habitat which is of limited availability, highly vulnerable to alteration, or provides landscape connectivity which contributes to the integrity of the surrounding landscape and which is not adequately protected by other city, state or federal policies, laws, regulations, or non-regulatory tools that prevent degradation of the habitat or its associated species. These may include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors such as breeding areas or human-made ponds.

Harbor Area – The area of navigable tidal waters as determined in Section 1 of Article 15 of the Washington State Constitution, which is forever reserved for landings, wharves, streets, and other

Harbor Structure Limit Line – A line defined in a harbor to demarcate the limits of overwater structures in aquatic areas and maintain navigation, as recommended by the Harbor Commission and approved by the City of Bainbridge Island City Council.

Hazard Tree – A tree that has significant structural defects that are likely to lead to failure and possibly cause injury or damage as identified in a report from an International Society of Arboriculture (ISA) Tree Risk Assessment Qualified (TRAQ) arborist ~~with structural defects likely to cause failure of all or part of the tree, which could strike a “target.”~~ A target can be a building or a place where people gather such as a park bench, picnic table, street, or backyard. In the case of steep slopes, a hazard tree can also be a tree that is a hazard to the stability of the slope, as determined by a geotechnical engineer.

Hazardous Materials – Any substance containing such elements or compounds which, when discharged in any quantity in shorelines, present to imminent and/or substantial danger to public health or welfare; including but not limited to: fish, shellfish, wildlife, water quality, and other shoreline features and property.

Hazardous Substance – Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090 or 173-303-100.

Hedge – A line of closely-spaced trees and/or shrubs intentionally planted and/or maintained along a property boundary or landscape border for privacy, screening, safety, or similar function, which typically requires ongoing pruning or shearing to maintain its intended function and/or reasonable use of nearby developed areas.

Height – The distance measured from the average grade level to the highest point of a structure. Television antennas, chimneys, and similar structures or appurtenances shall not be used in calculating height except where they obstruct the view of residences adjoining such shorelines. Temporary construction equipment is excluded in this calculation [WAC 173-27-030(9) or its successor]. For all over-water structures, height shall be measured from ordinary high water mark.

High Bluff – An area with slope greater than 40%; height greater than fifteen feet (15'), often unstable or with visible face sediment source often from backshore. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Hook – A spit or narrow cape of sand or gravel which turns landward at its outer end.

HPA – Hydraulic Project Approval. The permit issued by the Washington State Department of Fish and Wildlife pursuant to the State Hydraulic Code Revised Code of Washington Chapter 75.20, or its successor.

Hydric Soils – Soils which are, saturated flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part or have had a history of being, wet long enough to periodically produce anaerobic conditions, thereby influencing the growth of plants [WAC 173-22-030(5) or its successor]. The presence of hydric soil shall be determined following methods identified by the Department of Ecology.

Hydrogeologist – A practicing hydrogeologist who has at least four years of professional employment as a hydrogeologist with experience in the specific subject area in which they are providing a report, and a Washington specialty license in hydrogeology as specified in RCW Chapter 18.220.

Hydrophytes – Those plants capable of growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following methods identified by the Department of Ecology.

Infeasible – Not feasible, see feasible

Impact – An action producing a significant causal effect of the whole or part of a given area.

Impoundment – The retention or trapping of sediment in a location, either by natural or structural means.

Industrial Development – Facilities for processing, manufacturing, fabrication or storage of goods or materials, including but not limited to oil, metal or mineral product refining, power generating facilities, including hydropower, ship building and major repair, storage and repair of large trucks and other large vehicles or heavy equipment, related storage of fuels, commercial storage and repair of fishing gear, warehousing construction contractors' offices and material/equipment storage yards, wholesale trade or storage, and log storage on land or water, together with necessary accessory uses such as parking, loading, and waste storage and treatment. Excluded from this definition are mining, including on-site processing of raw materials, and off-site utility, solid waste, road or railway development, and methane digesters that are accessory to an agricultural use.

Industrial Use – Uses intended primarily to provide for heavy commercial water-dependent uses such as ship and boat building, haul out and repair and related uses serving boating needs.

In-kind Compensation – To replace wetlands, biota, or other organisms with substitute flora or fauna whose characteristics closely match those destroyed, displaced, or degraded by an activity.

Inshore – The zone of the beach profile extending waterward from the foreshore to just beyond the breaker.

Intertidal – The substream area exposed at low tides and inundated at high tides, situated from the extreme low water of spring tides (mean lower-low water, MLLW) to the upper limit of spray or influence of ocean-driven salts (mean higher-high water, MHHW).

Invasive Species – 1) non-native (or alien) to the ecosystem under consideration and 2) whose introduction causes or is likely to cause economic or environmental harm or harm to human health, or as amended by the United States Department of Agriculture National Invasive Species Information Center (NISIC). A species that is (1) non-native (or alien) to the Puget Sound or the Central Puget Lowland region and (2) whose introduction causes or is likely to cause economic or environmental harm, or harm to human health. Invasive species can be plants, animals, and other organisms (e.g., microbes). Human actions are the primary means of invasive introductions.

Jetty – A structure that is generally perpendicular to shore extending through or past the intertidal zone. It is built at harbor entrances or river mouths mainly to prevent shoaling or accretion from littoral drift in entrance channels, which may or may not be dredged. A jetty also serves to protect a channel from storm waves or cross currents, and stabilize inlets through barrier beaches. On the West Coast and in this region, most jetties are riprap mound construction.

Lagoon – A shallow body of water, such as a pond or a lake, isolated from Puget Sound by a barrier beach or other narrow body of land. Lagoons may or may not have a permanent tidal connection to the sea. See also Tidal Lagoon and Barrier Lagoon.

Land disturbing activity – Any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

Land divisions – Any division of land subject to the city's subdivision design standards (BIMC Chapter 17.12).

Landfill – The placement of soil, sand, rock, gravel, existing sediment or other material (excluding solid waste) in upland areas, landward of OHWM, generally to raise the elevation.

Landslide – A general term covering a wide variety of mass movement landforms and processes involving the downslope transport, under gravitational influence of soil and rock material en masse; included are debris flows, debris avalanches, earthflows, mudflows, slumps, mudslides, rock slides, and rock falls.

Landslide Hazard Areas – ~~Areas that, due to a combination of site conditions like slope inclination and relative soil permeability, are susceptible to mass wasting, as designated in Appendix B-1(28).~~ Areas

which are at risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. Landslide hazard areas include the following:

- a. Areas characterized by slopes greater than 15 percent having springs or groundwater seepage and having impermeable soils (typically silt and clay) overlain or frequently interbedded with permeable granular soils (predominantly sand and gravel);
- b. Any area potentially unstable due to rapid stream incision or stream bank erosion;
- c. Any area located on an alluvial fan, debris flow deposit, or in a debris flowpath, presently or potentially subject to impacts or inundation by debris flows or deposition of stream-transported sediments;
- d. Any area with a slope of 40 percent or greater and with a vertical relief of 10 or more feet except areas composed of competent consolidated rock;
- e. Any area designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas and/or mapped as a landslide or scarp on the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001).

Landslide hazard area setback – An area contiguous to a landslide hazard area sufficient in depth to meet the development standards set forth in Section 4.1.5.10 as determined by a geological hazards assessment prepared in accordance with Section 4.1.5.14, Critical area reports.

Land Use – The development or activities that occur or are allowed to occur on a particular property.

Landward – In a direction toward shoreland areas.

Launch – see boat launch

Large Woody Debris (LWD) – Generally naturally occurring material that is recruited from during storms from downed trees in rivers, streams or other waters.

Levee – A large dike or embankment, often having an access road along the top, which is designed as part of a system to protect land from floods.

Limited Utility Extension – The extension of natural gas, electricity, telephone, water, or sewer service where all of the following are met: (1) the extension is categorically exempt under the Washington State Environmental Policy Act (SEPA) (See WAC 197-11-800 (24 or its successor) for the utility improvements which are categorically exempt under SEPA), (2) the extension will serve existing uses that are in compliance with the Shoreline Management Act, and (3) the project does not involve the construction of more than twenty-five hundred (2,500) linear feet of utility lines or pipes within shoreline jurisdiction.

Liquefaction – A process in which a water-saturated soil, upon shaking, suddenly loses strength and behaves as a fluid.

Littoral – of or pertaining to the shore.

Littoral Cell – See Drift Cell.

Littoral Drift – The natural process of sediment movement, particularly sand and gravel along the shoreline in the nearshore zone by waves and currents (see also Drift Cell and Driftway).

Littoral Transport – see Longshore Transport

Live-aboard Vessel – A vessel licensed and designed for use as a mobile structure with adequate self-propulsion and steering equipment to be operated as a vessel, but which is principally used as an over-water residence. Principal use as an over-water residence means essentially full-time occupancy within the City’s jurisdiction for a total of more than sixty (60) days, whether or not consecutive, in any calendar year.

Longshore Current – The littoral current in the breaker zone moving essentially parallel to the shore.

Longshore Transport – Transport of sedimentary material parallel to the shore.

Low Bank – An area with a slope often greater than fifteen percent (15%) and less than ~~fourty~~ percent (40%), height fifteen feet (15’) or less, generally narrow beach with high water line at or on the bank. Bedrock terrace considered low bank if characterized by a sand and gravel beach; backed by low scarp. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Low Impact Development (LID) – A stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

~~A stormwater management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. Practices that adhere to these LID principles include bioretention facilities, rain gardens, vegetated rooftops, rainwater harvesting (rain barrels and cisterns), and permeable pavements.~~

Low impact development best management practices (LID BMPs) – Distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water reuse.

Maintenance – See Normal Maintenance and Normal Repair.

Marina – A facility with the primary purpose of providing moorage for six (6) or more vessels, which consists of a system of piers, docks, buoys, or floats. Foreshore marinas are located landward of OHWM. There are two common types of backshore marinas, one with wet moorage that is dredged out of the land to artificially create a basin, and the other, dry moorage, which has upland storage with a hoist, marine travel lift, or ramp for water access. Open water marinas,

including open water moorage and anchorage areas, are generally located in the center of a water body to provide moorage in addition to any marinas and docks along the edge of the water body.

Marine Bluffs – see Bluff, Marine

Marine Travel Lift – A mechanical device that can hoist vessels off trailers and transport them into the water. Often associated with dry land moorage.

Marine Railway – A fixed set of rails running from the upland area into the water upon which a cart or dolly can carry a boat to be launched.

Marine Riparian Zone – The transition zone between the nearshore and terrestrial ecotones. See also Riparian Vegetation.

Marshes, Bogs, and Swamps – Lands transitional between terrestrial and aquatic systems where saturation with water is the dominant factor determining plant and animal communities and soil development. Such lands must have one or more of the following attributes: a) at least periodically, the land predominately supports hydrophytes, and/or 2) the substrate is predominantly undrained hydric soil. [WAC 173-22-030(10) or its successor]. See Hydrophyte, Hydric Soil.

Marsh/Lagoon – Protected embayment often fluvial sediment sources, substrate is composed of fines, diagnostic salt marsh vegetation, lagoons may empty completely at low tide (extensive tide flats) and may have a residual basin that holds water at low tide. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Mean Higher-High Water (MHHW) – The plane of the arithmetic mean of the higher of two (2) daily high tides calculated from the most recent 19-year tidal cycle.

Mean Low Water (MLW) – The plane of the arithmetic mean of all low tides calculated from the most recent 19-year tidal cycle.

Mean Lower-Low Water (MLLW) – The plane of arithmetic mean of the lower of two (2) daily low tides calculated from the most recent 19-year tidal cycle (datum plane 0.0).

Mean Sea Level – The average height of the surface of the sea for all stages of the tide over a 19-year period, usually determined from hourly height readings.

Midden – An ancient refuse heap. Often a source of archaeological material.

Mining – Removal and primary processing of naturally occurring materials from the earth for economic use. “Processing” includes screening, crushing, stockpiling – all of which utilize materials removed from the site where the processing activity is located. Processing does not include the manufacture of molded or cast concrete, or asphalt products, asphalt mixing operations, or concrete batching operations.

Mitigation – Measures used to avoid, minimize or alleviate adverse impacts of development on ecological functions or ecosystem-wide processes. Mitigation must follow mitigation sequencing requirements of WAC 173-26-201(2)(e) and includes:

- a. Avoiding, minimizing or compensating for adverse impacts, in the following order of preference:
 - i. Avoiding the impact altogether by not taking a certain action or parts of an action.
 - ii. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
 - iii. Rectifying the impacts by repairing, rehabilitating or restoring the affected environment;
 - iv. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
 - v. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - vi. Monitoring the impact and the compensation project and taking appropriate corrective measures. Mitigation for individual action may include a combination of the above measures; and
- b. The following specific categories:
 - i. Mitigation, compensatory: replacing project-induced critical area losses or impacts, including, but not limited to, establishment, re-establishment, rehabilitation or enhancement.
 - ii. Mitigation, establishment: mitigation performed to intentionally establish a critical area (e.g., wetland) at a site where it does not currently exist.
 - iii. Mitigation, re-establishment: the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former critical area.
 - iv. Mitigation, rehabilitation: the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions and processes to a degraded critical area.
 - v. Mitigation, enhancement: the manipulation of the physical, chemical, or biological characteristics of a biological wetland to heighten, intensify or improve specific function(s) or to change for specific purposes such as water quality improvement, flood water retention, or wildlife habitat.

Mitigation Sequence – Individual action that may include a combination of the following measures, listed in order of preference:

- a. Avoiding the impact altogether by not taking a certain action or parts of actions;
- b. Minimizing impacts by limiting the degree of magnitude of an action and its implementation;
- c. Rectifying impacts by repairing, rehabilitating, or restoring the affected environment;

- d. Reducing or eliminating an impact over time by preservation and maintenance operations;
- e. Compensating for an impact by replacing enhancing, or providing substitute resources or environments; and
- f. Monitoring the impact and compensation projects and taking appropriate corrective measures when necessary.

Mitigation Plan – A detailed plan indicating actions necessary to mitigate adverse impacts of development.

Monitoring – Evaluating the impacts of development proposals over time on the biological, hydrological, pedological, and geological elements of ecosystem functions and processes and/or assessing the performance of required mitigation measures through the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features compared to a baseline or pre-project conditions and/or reference sites.

Mooring Buoy – A floating object anchored to the bottom of a water body that provided tie-up capabilities for vessels.

Muds – Sediments in which the size of the particles is smaller than 0.0625mm.

Mudflat – Low, unvegetated mud substrate that is flooded at high tide and uncovered at low tide.

Multi-family Dwelling or Residence – A building containing two or more dwelling units or more than one dwelling unit on one lot, including, but not limited to, duplexes, apartments, and condominiums.

Natural Riparian Habitat Corridor – The waterside environment maintained in its natural state, primarily for fisheries and wildlife habitat, and water quality improvements, and, secondarily, for flood control works, while allowing controlled access to avoid damage to the resource.

Native Vegetation – Plant species typically found on an undeveloped marine shoreline that are indigenous to the Central Puget Lowland eco-region and suitable to the specific site conditions.

Native Vegetation Equivalent – Plant species that are equivalent in providing the same site-specific functional arrays as would a native species. Functional arrays may include forage, floodwater restraint, hiding habitat, or other physical or biologic roles in the ecosystem, that individually or in combination correspond to those of the native species. As with natives, the role and mix of an alternative species may vary depending on the site and its surrounding ecosystem. Invasive/exotic species shall not be considered equivalent species.

Nearshore or Nearshore Zone – The area of marine and estuarine shoreline, generally extending from the top of the shoreline bank or bluff to the depth offshore where light penetrating the water falls below a level supporting plant growth, and upstream in estuaries to the head of the tidal influence. It includes bluffs, beaches, mudflats, kelp and eelgrass beds, salt marshes, gravel spits, and estuaries.

Not Net Loss – As a public policy goal, the maintenance of the aggregate total of the City’s shoreline ecological functions at its current level of environmental resource productivity. As a development and/or mitigation standard, no net loss requires that the impacts of a particular shoreline development and/or use, whether permitted or exempt, be identified and prevented or mitigated, such that it has no resulting adverse impacts on shoreline ecological functions or ecosystem-wide processes. Each project shall be evaluated based on its ability to meet the no net loss standard commensurate with its scale and character.

Nonconforming Development – A shoreline use or structure which was lawfully constructed or established prior the effective date of the applicable Shoreline Management Act/SMP provision, and which no longer conforms to the applicable shoreline provisions [WAC 173-27-080(1), or its successor].

Nonconforming development” or “nonconforming structure” means an existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program.

Nonconforming Lot -- A nonconforming lot means a lot that met dimensional requirements of the applicable SMP at the time of its establishment (November 26, 1996), as amended, but now contains less than the required width, depth or area due to subsequent changes in the Program.

Nonconforming Structure. A nonconforming structure means an existing structure that was lawfully constructed prior to the effective date of this Program (November 26, 1996), as amended, but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the Program.

Nonconforming Use -- A nonconforming use means an existing shoreline use that was lawfully established prior to the effective date of this Program (November 26, 1996), as amended, but which does not conform to present use regulations due to subsequent changes to the Program.

Nonwater-oriented – Nonwater-oriented uses serve to describe those uses which have little or no relationship to the shoreline and are not water-dependent, water-related, or water-enjoyment, or considered priority uses under the Shoreline Management Act. Nonwater-oriented uses, means those uses that are not water-dependent, water-related, or water-enjoyment. Nonwater-oriented use examples include professional offices, automobile sales or repair shops, storage facilities, and automobile gas stations.

Normal Appurtenance – See Appurtenance.

Normal Maintenance – Those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. [WAC 173-27-040(2)(b), or its successor]. (See Normal Repair.) **Normal maintenance does not include:**

- a. **Use of fertilizer or pesticide application in wetlands, fish and wildlife habitat conservation areas, or their buffers;**
- b. **Re-digging ditches in wetlands or their buffers to expand the depth or width beyond the original ditch dimensions;**
- c. **Re-digging existing drainage ditches to drain wetlands on lands not classified as existing and ongoing agriculture under BIMC 16.20.040 (Exemptions).**

Normal Repair – To restore a structure or development to a lawfully established state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair involves total replacement which is not common practice, or causes substantial adverse effects to the shoreline resource or environment. This does not include any activities that change the character, scope or size of the original structure or development beyond the original design. [WAC 173-27-040(2)(b), or its successor]. (See Normal Maintenance).

Normal Protective Bulkhead – See Bulkhead.

Obligate Vegetation – The sum total of macrophytic plant life that occurs in areas where the frequency (>99% of the time in wetlands) and duration of inundation or soil saturation produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present. USACE 1987 Wetland Delineation Manual.

OHWL, Ordinary High Water Mark – That mark that will be formed by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil has a character distinct from that of the abutting upland in respect to vegetation as that condition existed on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the City or Washington State Department of Ecology, provided that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high water and the ordinary high water mark adjoining fresh water shall be the line of mean high water. [See RCW 90.58.030(2)(b), or its successor and WAC 173-22-030(6), or its successor].

Offshore – The area waterward of the breaker zone, extending in a direction waterward from the shore.

Oil/Water Separator – Specialized catch basins that are designed to trap oil and other materials lighter than water in the basin while allowing the water to escape through the drainage system.

Open Coastal Inlets - These describe inlets or estuaries whose size or configuration precludes significant wave action, but where the inlet itself is not significantly enclosed by a barrier or other restriction.

Open Space – See BIMC Title 18.

Open Water Moorage and Anchorage Area – A designated area of state-owned aquatic lands leased for the moorage and anchorage of vessels that does not abut uplands and does not include a built connection to the uplands. Open water moorage and anchorage areas are leased only by municipalities in accordance with WAC 332-30-139 and subject to the restrictions therein.

Outfall – A structure extending into a body of water for the purpose of discharging an effluent (sewage, storm runoff, cooling water).

Overwash - The flow of marine waters and associated sediment over the top of a barrier beach, usually when storms coincide with high tides. Leads to deposition of sediment in backshore areas and the gradual shifting of a barrier beach landward.

Overwater structures – Human-made structures that extend over all or part of the surface of a body of water, such as a pier.

Parking – The temporary storage of automobiles or other motorized vehicles.

Periodic – Occurring at regular intervals.

Person(s) – Includes organizations and corporations.

Pier – A platform structure or anchored device that is fixed above the water extending waterward from ordinary high water, and which is generally used as a landing or moorage place for industrial, commercial, and/or pleasure craft; including but not limited to ; wharves and quays.

Plant Community – Association of plants in a given area or region in which various species are more or less dependent upon each other.

Pocket Beach – An isolated beach, existing usually, without benefit of littoral drift from sources elsewhere. Pocket beaches are produced by erosion of immediately adjacent bluffs or banks and are relatively scarce and therefore valuable shoreforms on the Island; they are most common between rock headlands and may or may not have a backshore.

Pocket Estuary – Term used in the Puget Sound region to describe small estuaries and lagoons, partially isolated by their configuration from the main body of Puget Sound.

Point – A low profile shoreline Promontory of more or less triangular shape, the top of which extends waterward.

Primary Structure – A structure that includes the principal use of a property, or is intended to be occupied with the principal use of the property.

Priority Habitat – A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- a. Comparatively high fish or wildlife density;
- b. Comparatively high fish or wildlife species diversity;
- c. Fish spawning habitat;
- d. Important wildlife habitat;
- e. Important fish or wildlife range;
- f. Important fish or wildlife movement corridor;
- g. Rearing and foraging habitat;
- h. Important marine mammal haul-out;
- i. Refugia habitat;
- j. Limited availability;
- k. High vulnerability to habitat alteration;

- l. Unique or dependent species; or
- m. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows).

A priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

Priority Species –Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.

- a. Criterion 1. State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014, or its successor), threatened (WAC 232-12-011, or its successor), or sensitive (WAC 232-12-011, or its successor). State proposed species are those fish and wildlife species that will be reviewed by the Department of Fish and Wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.
- b. Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or state-wide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.
- c. Criterion 3. Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- d. Criterion 4. Species listed under the federal Endangered Species Act as either proposed, threatened, or endangered.

Pruning – The selective removal of plant parts to achieve defined objectives.

Pruning amount – The quantity of plant parts removed at one pruning, expressed in terms of a number of branches or other parts removed, and/or percentage of the crown or buds removed on an entire tree or specific branches.

Public Access – The public’s right to get to and use the state’s public waters, both saltwater and freshwater, the water/land interface and associated shoreline area. It includes physical access that is either lateral (areas paralleling the shore) or perpendicular (an easement or public corridor to the shore), and/or visual access facilitated by means such as scenic roads and overlooks, viewing platforms, decks or towers and other public sites or facilities.

Public Interest – The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected including, but not limited to , an effect on public property or on health, safety, or general welfare resulting from adverse effects of a use or development.

Puget Lowland, Central – The low area between the Olympic and Cascade Mountain ranges.

Puget Sound – All marine water contained south and east of Admiralty Inlet and Deception Pass.

Qualified Professional or Qualified Consultant – A person with experience and training with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must possess the required education and experience stipulated for that profession pursuant to this Program and/or BIMC 16.20.020 for the following:

- a. Fisheries Biologist (BIMC 16.20.020(17);
- b. Geotechnical Engineer (BIMC 16.20.020(21);
- c. Hydrogeologist (BIMC 16.20.020(27);
- d. Wetland Specialist (BIMC 16.20.020(56);
- e. Wetland Biologist (BIMC 16.20.020(57);
- f. Professional Archeologist (RCW 27.53.030(11), or successor)
- g. Certified Arborist (BIMC 16.20)

RCW – Revised Code of Washington.

Ravine – A V-shaped landform generally having little to no floodplain and normally containing steep slopes, which is deeper than 10 vertical feet as measured from the centerline of the ravine to the top of the slope. Ravines are typically created by the wearing action of streams. The top of the slope is determined where there is a significant change in the slope to generally less than a 15 percent slope.

Recharge – The process involved in the absorption and addition of water from the unsaturated zone to ground water.

Recreation – An experience or activity in which an individual engages for personal enjoyment and satisfaction through forms of play, sports, relaxation, amusement or contemplation, Most shore-based recreation included outdoor recreation such as: fishing, hunting, clamming, beach combing, and rock climbing; various forms of boating, swimming, hiking, bicycling, horseback riding, camping, picnicking, watching or recording activities such as photography, painting, bird watching or viewing or water or shorelines, nature study and related activities.

Recreational Development, Active – activities that generally require the use of constructed facilities such as playgrounds, athletic fields, boat ramps, and marinas, and/or the use of specialized equipment.

Recreational Development, Passive – activities that require a minimum of facilities such as swimming, picnicking, hiking, canoeing and fishing, and other low impact activities.

Recreational Fishing –Fishing for personal use as allowed by Personal Fishery Chapter 220-56 WAC.

- a. Hand Line or Angling - shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" shall be identical in meaning [WAC 220-56-100(17), or its successor].
- b. Spear Fishing - means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device [WAC 220-56-100(29), or its successor].
- c. Bow and Arrow Fishing - any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water [WAC 220-56-100(6), or its successor]

Redevelopment – On a site that is already substantially developed (i.e., has 35 percent or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; construction, installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities.

Removal, vegetation – To eliminate the presence or hazard of unwanted vegetation.

Repair – See “Normal Repair”

Residential Development – Construction or alteration, earth modification, subdivision and use of land primarily for human residence; including but not limited to single-family residences and multifamily dwellings, accessory uses, and structures normally associated with residential uses and structures. Residential development includes land divisions, including short plats, of residentially zoned land. It also includes all modifications to land and vegetation associated with construction, preparation, or maintenance of residential structures or accessory structures.

Restoration or Ecological Restoration – To revitalize, reestablish or upgrade ecological shoreline functions and/or natural processes of a degraded shoreline resource to a condition that sustains the ecological functions and process at a state of equilibrium.

This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures, and removal or treatment of toxic materials.

Retaining Wall – A built structure designed to retain an earth bank from sliding or to resist the lateral pressure of soil when there is a desired change in ground elevation.

Revetment – A sloping structure built to protect a scarp, embankment, or shore against erosion by waves or currents. Usually built of riprap, with heavy armor layer, one or more filter layers of smaller rock or filter cloth, and “toe” protection. A revetment slopes shoreward and has a

rough or jagged facing. Its sloping face absorbs wave energy and differentiates it from a bulkhead, which is a vertical structure.

Riparian – Of, pertaining to, or situated or living on the banks of a river or other body of water, including tidewater.

Riparian Management Zone – The area adjacent to a water body (stream, lake or marine water) that contains vegetation that influences the aquatic ecosystem, nearshore area and/or fish and wildlife habitat. The zone include terrestrial habitat and riparian vegetation.

Riparian Vegetation – Vegetation that tolerates and/or requires moist conditions and periodic free flowing water thus creating a transitional zone between aquatic and terrestrial habitats which provides cover, shade and food sources for aquatic and terrestrial insects for fish species. Riparian vegetation and their root systems stabilizes banks, attenuates high water flows, provide wildlife habitat and travel corridors, and provide a source of limbs and other woody debris to terrestrial and aquatic ecosystems.

Riprap – A layer, facing, or protective mound of stones placed to prevent erosion, scouring, or sloughing of a structure or embankment.

Rock Weir – See Groin.

Runoff – Water that is not absorbed into the soil, but rather flows along the ground surface following the topography.

Salish Sea – Broadly defined as the confined water body inland from Cape Flattery, including Puget Sound, the Strait of Juan de Fuca and the Strait of Georgia.

Salmon and Steelhead Habitats – Gravel bottom streams, creeks, and rivers used for spawning; streams, creeks, rivers, side channels, ponds, lakes, and wetlands used for rearing, feeding, cover and refuge from predators and high water; streams creeks, rivers, estuaries, and shallow areas of saltwater bodies used as migration corridors; and salt water bodies used for rearing, feeding, and refuge from predators and currents.

Salt Tolerant Vegetation – Vegetation which is tolerant of interstitial soil salinities greater than or equal to 0.5 parts per thousand. [WAC 173-22, or its successor].

Seawall – Structure separating land and water areas primarily to prevent erosion and other damage by wave action. Generally more massive and capable of resisting greater wave forces than a bulkhead or revetment.

Sediment – The material, such as sand, silt, or clay, suspended in or settled on the bottom of a water body, generally deposited by erosion, water or wind.

Sediment Transport – The movement of sediment along a current pathway.

Seismic Hazard Areas – Areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, or surface faulting. While ground shaking is the principal risk because the entire island will shake significantly, severe damage will occur where slope failure, liquefaction, and settlement are induced by the shaking and surface rupture is created by fault movement. The following areas are considered seismic hazard areas:

- a. Seismic Landslide Hazard Areas. Slopes which are stable in non-earthquake periods, but fail and slide during ground shaking;
- b. Liquefaction Hazard Areas. Areas of non-cohesive, loose or soft, saturated soils of low density in association with a shallow groundwater table that are subject to settlement and/or liquefaction from ground shaking; or
- c. Fault Hazard Areas. Areas of known surface rupture or significant surface deformation as a result of an active fault movement, including fifty feet (50') on either side.

Sensitive Areas – See Critical Areas

Sensitive Land – See Critical Areas

Setback – The required space that is left open and unoccupied between the nearest projection of a structure and the property line of the lot on which the structure is located, and that are required to remain unobstructed from the ground to the sky except for modification to setbacks and height specifically allowed by code.

Shall – A mandate; the action that must be done.

Shared Moorage – Moorage for pleasure craft and/or landing for water sports for use in common by shoreline residents of a certain subdivision or community within shoreline jurisdiction or for use by patrons of a public park or quasi-public recreation area, including rental of non-powered craft. If a shared moorage provides commercial services of six or more slips, it shall be considered a marina.

Shellfish – Invertebrates of the phyla Arthropoda (class Crustacea), Mollusca (class Pelecypoda) and Echinodermata.

Shellfish Habitat Conservation Area – All public and private tidelands suitable for shellfish, as identified by the Washington Department of Health classification of commercial growing areas, and those recreational harvest areas as identified by the Washington Department of Ecology are designated as Shellfish Habitat Conservation Protection District created under RCW 90.72 is also a Shellfish Habitat Conservation Area.

Shoreland Areas – Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands, including river deltas associated with streams, rivers and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Department of Ecology.

Shorelands – See “Shoreland areas.”

Shoreline Armoring – Structural protection from erosion caused by tidal action, current or waves, including but not limited to, revetments, bulkheads, sea walls, gabions.

Shoreline Designation – The categories of shorelines established by the Shoreline Master Programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. [WAC 173-16-040(4), or its successor].

Shoreline Jurisdiction (Associated Wetlands [Jurisdictional]) – The proper term describing all of the geographic areas covered by the Shoreline Management Act, related rules, and the applicable master program. Those lands extending landward for two hundred feet (200') in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred (200) feet from such floodways; and all marshes, bogs, swamps and deltas associated with the streams, lakes, and tidal waters subject to the Shoreline Management Act. See RCW 90.58.030(2)(f), or its successor; WAC 173-16-030(17), or its successor; and WAC 173-22-030(10), or its successor. Also, such areas within a specified local government's authority. See definitions of shorelines, shorelands, shorelines of the state, and Shorelines of State-wide Significance, and wetlands, jurisdictional.

Shoreline Management Act – The Shoreline Management Act of 1971, RCW Chapter 90.58, as amended.

Shoreline Master Program or Master Program – The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020. As provided in RCW 36.70A.480, the goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations.

Shoreline Modifications – Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

Shoreline Permit – A substantial Development, Conditional Use, Revision, Variance, or any combination thereof [WAC 173-27-030(13), or its successor].

Shoreline Stabilization and Flood Protection – Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion impacts to property and dwellings, businesses, or structures of upland beaches or reduce adverse impacts caused by natural processes, such as current, flood, tides, wake, wind, or wave action. These are generally located parallel to the shoreline at or near the OHWM. Examples of specific structural and nonstructural shoreline modification activities include revetments, riprap, bulkheads, and bank stabilization.

Shoreline Stabilization, Bioengineered – Biostructural and biotechnical alternatives to hardened structures (bulkheads, walls) for protecting slopes or other erosive features including soft – treatment techniques. Bioengineered stabilization uses Vegetation Reinforced Soil Slopes (VRSS), which uses vegetation arranged embedded in the ground to prevent shallow mass-movements and surficial erosion.

Shoreline Stabilization, Hard structure – Shore erosion control practices using hardened structures that armor and stabilize the shoreline landward of the structure from further erosion.

Shoreline Stabilization, Hybrid structure – An approach to erosion control that combines soft-treatment shoreline treatment placed waterward of more conventional structural shoreline

stabilization elements. The soft treatment preserves natural beach contours and mimics habitat structure in order to preserve ecological functions. The hard structure provides long-term stability to the upland site, but is located sufficiently landward of the OHWM as not to impair ecological processes.

Shoreline Stabilization, New – Placement of shoreline stabilization where no such structure previously existed, including additions to or increases in size of existing shoreline stabilization measures are considered new structures.

Shoreline Stabilization, Non-structural – This is a soft treatment which does not use driftwood, logs, geotextile fabric, or other organic or non-organic structural materials. Examples include:

- a. Addressing upland drainage issues;
- b. Planting stabilization vegetation without fill, grading, or use of non-biodegradable geotextile fabric, gabions other stabilizing structures to provide temporary erosion control;

Shoreline Stabilization, Replacement – The construction of a new structure to perform a shoreline stabilization function of an existing legally-established shoreline stabilization structure which can no longer adequately serve its purpose.

Shoreline Stabilization, Soft-treatment – Shore erosion control and restoration practices using only plantings or organic materials to restore, protect or enhance the natural shoreline environment. This technique mimics natural conditions for ecological functions and ecosystem-wide processes. When used organic/biodegradable structural components are to be placed to avoid significant disruption of sediment recruitment, transportation, and accretion. Examples include:

- a. Bioengineered Shoreline Stabilization;
- b. Beach Nourishment/Replenishment;
- c. Vegetated Soil Stabilization Retention Methods;
- d. Driftwood;
- e. Coir fiber logs or other natural materials;
- f. Nonstructural Shoreline Stabilization.
- g. Beach Berm.

Shoreline Stabilization, Structural – Shoreline stabilization which includes a footing, foundation, or anchors. Materials are typically hardened structures which armoring the shoreline. See also Shoreline Stabilization, Hard structure and Shoreline Stabilization, Hybrid structure.

Shoreline Substantial Development Permit – A mechanism through which the City determines whether a proposed development or activity complies with the State of Washington Shoreline Management Act (RCW Chapter 90.58, or its successor) and the Master Program.

Shorelines – All of the water areas of the state, including reservoirs and their associated wetlands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(d) or its successor and shorelines of state-wide significance.

Shorelines Hearings Board (SHB) – A quasi-judicial body which hears appeals by any aggrieved party on the issuance of a shoreline permit and appeals by local government on Washington State Department of Ecology approval of master programs, rules, regulations, guidelines, or designations under the Shoreline Management Act. [RCW 90.58.170, or its successor; RCW 90.58.180, or its successor; and WAC 173-04-01, or its successor].

Shorelines of State-wide Significance – A select category of shorelines of the state, defined in RCW 90.58.030(2)(e) or its successor, where special preservation policies apply and where greater planning authority is granted by the Shoreline Management Act [RCW 90.58.020 or its successor]. Within the City’s jurisdiction all those areas lying seaward from the line of extreme low tide are shorelines of state-wide significance [RCW 90.58.030(1)(e)(iii) or its successor].

Shorelines of the State – Shorelines and shorelines of state-wide significance.

Shoreward – See landward

Should – A particular action is required unless there is demonstrated, compelling reason, based on policy of the Shoreline Management Act and this Program, against taking the action.

Shrub – A woody perennial plant, usually with several stems that may be erect or close to the ground, generally smaller than a tree.

Sign – Any letter, figure, design, symbol, trademark or other device which is intended to attract attention to any activity, service, place, political office, subject, firm, corporation or merchandise, except traffic signs or signals, public or court notices, signs not visible from the public right-of-way or adjacent properties, signs on moving vehicles, newspapers, leaflets or other printed materials intended for individual use or individual distribution to members of the public, government flags, flags and buntings exhibited to commemorate national patriotic holidays and temporary banners announcing charitable or civic events.

Significant Removal of Vegetation – The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. The approved removal of trees determined to be hazardous does not apply. Tree pruning, not including tree topping, where it does not affect ecological functions, does not contribute significant vegetation removal in the Washington State Shoreline Master Program Guidelines, Chapter 173-26 WAC 99 of 100.

Single-family Residence (SFR) – A detached dwelling designed for and occupied by one family, including those structures and developments within a contiguous ownership which are normal appurtenance [WAC 173-27-040(2)(g), or its successor].

Site – The entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership.

Soil Bioengineering – An applied science that combines structure, biological, and ecological concepts to construct living structures that stabilize the soil to control erosion, sedimentation, and flooding using live plant materials as a main structural component.

Solid Waste Disposal – Discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste, including hazardous waste, on land or in the water.

Solid Waste – Solid and semi – solid wastes, including garbage, rubbish, ashes, industrial wastes, wood wastes, and sortyard wastes associated with commercial logging activities, swill, demolition and construction wastes, abandoned vehicles and parts of vehicles, household appliances, and other discarded commodities. Solid waste does not include wastewater, dredge material, agricultural, or other commercial logging wastes not specifically listed above. See landfill and dredging material.

Species of local importance – Those species that are of local concern due to their population status or their sensitivity to habitat alteration.

Spit – An accretion shoreform which extends seaward from and parallel to the shoreline. They are usually characterized by a wave-built berg on the windward side and more gently sloping, muddy, or marshy shore on the leeward side. A curved spit is normally called a hook.

Spit/Barrier/Backshore – An area with a wide beach face and slope of less than fifteen percent (15%), distinguishable backshore. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Spur Dock – See Groin.

SSDP – Shoreline Substantial Development Permit.

Starvation – See Impoundment

Statement of Exemption or Letter of Exemption – A written statement by the Administrator that a particular development proposal is exempt from the substantial development permit requirement and is generally consistent with this Program including the policy of the Act [RCW 90.58.020, or its successor].

Steep Slope – A forty percent (40%) or greater slope. See also Landslide Hazard

Storm Surge – A rise above normal water level on the open coast due to the action of wind forces on the water surface or to atmospheric pressure reduction.

Stormwater Management – The control of stormwater drainage through a systematic design that performs a particular function, or multiple functions, and includes but not limited to, pipes, swales, ditches, culverts, street gutters, detention basins, retention basins, constructed wetlands, infiltration devices, catch basins, oil/water separators, sediment basins and modular pavement.

Streams – Those areas in the City of Bainbridge Island where the surface water flows are sufficient to produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes but is not limited to bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, storm or surface water runoff devices, or

other artificial watercourses unless they are used by fish or used to convey streams naturally occurring prior to construction.

Stream Types – A stream classification system based on fish usage and perennial or seasonal water regime as found in WAC 222-16-030 and meeting the standards listed below.

- a. “Type F Stream” means a stream that has fish habitat. Waters having the following characteristics are presumed to meet the physical criteria for fish use: Stream segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient of 16 percent or less. Also, stream segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient greater than 16 percent and less than or equal to 20 percent, and having greater than 50 acres in contributing basin size based on hydrographic boundaries.
- b. “Type Np” means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type Np Waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.
- c. “Type Ns” means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to marine waters, Type F, or Np Waters.

Structure – A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels. [WAC 173-27-030(15) or its successor].

Subdivision – The division or redivision of land, including short subdivisions, for the purpose of sale, lease, or conveyance.

Substantial Development – Any development of which the total cost or fair market value exceeds the amount specified in WAC 173-26-040(2)(a); or any development which materially interferes with the normal public use of the water or shorelines of the state, except as specifically exempted pursuant to RCW 90.58.030(3)(e), or its successor, and WAC 173-27-040, or its successor. See definitions for Development and Exemption.

Substantial Progress – Substantial progress toward completion of a permitted activity includes all of the following, where applicable: the making of contracts, signing of notice to proceed, completion of grading and excavation and the laying of major utilities; or, where no construction is involved, commencement of the activity [WAC 173-27-090, or its successor].

Subtidal – The area of the marine environment below extreme low tide.

Sub-estuary – See Pocket Estuary

Sustainable Development – Development which maintains a balance between the health of the natural environment and the needs of the human community which lives within it.

Surface Water – Water that travels across the surface of the ground, rather than infiltrating.

Swell – Wind-generated waves that have traveled out of their generating area. Swell characteristically exhibits a more regular and longer period and has flatter crests than waves with their fetch.

Terrestrial – Of or relating to land as distinct from air or water.

Tidal Inlet – A shore feature subject to the daily influence of the tides, whose mouth is narrower than its length. The inlet is considered to be all lands and waters seaward of the ordinary high water mark, and extending to its mouth. Within tidal inlets, specific areas that constitute critical habitat are designated for special protection under the Master Program.

Tidal Flats – Marshy or muddy areas of the seabed which are covered and uncovered by the rise and fall of tidal water.

Tidal Lagoon – A body of saline water (salinity greater than 0.5 parts per thousand) with a constricted or subsurface outlet that is subject to the periodic, but not necessarily daily, exchange of water with Puget Sound or a tidal inlet. The exchange may occur seasonally, during storms, or during the highest spring tides. The connection between the sea and the lagoon does not necessarily have to be on the surface; the connection can be subsurface through permeable gravel and sand berms.

Tidal Range – The difference in height between consecutive high and low water.

Tidal Water – Includes marine and estuarine water bounded by the ordinary high water mark. Where a stream enters the tidal water, the tidal water is bounded by the extension of the elevation of the marine ordinary high water mark within the stream [WAC 173-22-030(9), or its successor].

Tidelands – Land on the shore of marine water bodies between the line of ordinary high water and the line of extreme low tide.

Toxic Material – Any material damaging to marine life including, but not limited to, paints, varnishes, anti-fouling agents, bleaches, petroleum, and contaminated bilge waste water.

Transient Moorage – Moorage for a stay of less than two (2) weeks.

Transportation Facilities – Those structures and developments that aid in land and water surface movement of people, goods, and services. They include roads and highways, bridges and causeways, bikeways, trails, railroad facilities, ferry terminals, float plane terminals, heliports, and other related facilities.

Tree – A woody perennial plant with a single or multiple trunks, which typically develop a mature size of over several inches diameter, and ten (10) or more feet in height.

Unavoidable – Adverse impacts that remain after all appropriate avoidance and minimization measures have been implemented.

Updrift – In the direction opposite of dominant alongshore sediment transport.

Upland – Generally described as the area above and landward of the OHWM.

Upland Finfish Rearing Facilities – Those private facilities not located within waters of the state where finfish are hatched, fed, nurtured, held, maintained, or reared to reach the size for commercial market sale. This shall include fish hatcheries, rearing ponds, spawning channels, and other similarly constructed or fabricated facilities.

Utilities, Accessory – Small scale distribution systems directly serving a permitted shoreline use. These include power, telephone, cable, water, sewer, septic, and stormwater lines.

Utilities, Primary – Facilities that produce, transmit, carry, store, distribute, or process electric power, gas, water, sewage, or information. Primary utilities include solid waste handling and disposal facilities, wastewater treatment facilities, utility lines, electrical power generating or transfer facilities, radio, wireless telephone and microwave tower, and gas distribution and storage facilities.

Variance – A means to grant relief from the specific bulk, dimensional, or performance standards specified in the applicable Master Program. Variance permits must be specifically approved, approved with conditions, or denied by the Washington State Department of Ecology. (See WAC 173-14-150, or its successor).

Vascular Plant – Any plant that has a specialized conducting system consisting mostly of phloem (food-conducting tissue) and xylem (water-conducting tissue), collectively called vascular tissue. These plants have true stems, leaves, and roots, modifications of which enable species of vascular plants to survive in a variety of habitats under diverse, even extreme, environmental conditions.

Vegetative Stabilization – Planting of vegetation to retain soil and retard erosion, reduce wave action, and retain bottom material. It also means utilization of temporary structures or netting to enable plants to establish themselves in unstable areas.

Vessel – A floating structure that is designed primarily for transportation, is normally capable of self propulsion and navigation, and meets all applicable laws and regulations pertaining to navigation and safety equipment on vessels, including, but not limited to, registration as a vessel by an appropriate government agency, and does not interfere with normal public use of the water. [WAC 173-27-030(18), or its successor].

View Corridor – An area free of buildings and other view-blocking structures which provides visual access to water and/or the shoreline.

WAC – Washington Administrative Code.

Water-dependent Use – A use or a portion of a use which cannot exist in a location that is not adjacent to the water which is dependent on the water by reason or the intrinsic nature of its operation. Examples of water-dependent uses may include ship cargo terminal loading areas,

ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities, and sewer outfalls.

Water-enjoyment Use – A recreational use, or other use facilitating public access to the shoreline as a primary characteristic of the use, or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as general characteristic of the use and which through the location, design, and operation ensure the public’s ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public, and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that foster shoreline enjoyment. Primary water-enjoyment uses may include, but are not limited to, parks, piers, and other improvements facilitating public access to shorelines of the state. General water-enjoyment uses may include, but not limited to, restaurants, museums, aquariums, educational/scientific reserves, resorts, and mixed use commercial, provided that such uses conform to the above water-enjoyment specifications and the provisions of the Master Program.

Water-oriented Use – Refers to any combination of water-dependent, water-related and/or water-enjoyment uses and serves as an all-encompassing definition for priority uses under the Shoreline Management Act.

Waterward – To, toward, or continuing into the water body.

Water Quality – The physical characteristics of water within shoreline jurisdiction, including water quality, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term “water quantity” refers only to development and uses regulated under this chapter and affecting water quantity, such as impermeable surfaces and stormwater handling practices. Water quantity, for purposes of this chapter, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.3.250 through 90.03.340.

Water-related – A use or portion of a use which is not intrinsically dependent on a waterfront location, but whose economic viability is dependent upon a waterfront location because:

- a. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,
- b. The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient.

Examples include: (1) manufacturers of ship parts large enough that transportation becomes a significant factor in the product(s) cost, (2) professional services serving primarily water-dependent activities, and (3) storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker, and log storage.

Wave Direction – The direction from which waves approach an observer.

WDFW – Washington State Department of Fish and Wildlife.

Washington State Department of Ecology – See Ecology.

Weir – A structure in a stream or river for measuring or regulating stream flow.

Wetlands – Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include, but are not limited to, swamps, estuaries, marshes, bogs, ponds less than twenty acres, including their submerged aquatic beds and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, stormwater facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands include those legally established artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. ~~Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas, including associated wetlands. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands that were created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. [WAC 173-22-030(10) and (11), or their successors]~~

Wetland boundary – The boundary or outer edge of a wetland as delineated in accordance with the federal wetland delineation manual and applicable regional supplements (as updated), as required by WAC 173-22-035.

Wetland category – Category as defined in Washington State Wetland Rating System for Western Washington – 2014 Update (Ecology Publication No. 14-06-029, October 2014), or as revised and adopted by the department.

Wetlands specialist – A person with experience and training in wetland issues who is able to submit substantially correct reports on wetland delineations, classifications, functional assessments and mitigation plans. “Substantially correct” means that errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a wetlands specialist include:

- a. Either:
 - i. Certification as a Professional Wetland Scientist (PWS) or Wetland Professional in Training (WPIT) through the Society of Wetland Scientists, or;
 - ii. Bachelor of science degree in the biological sciences from an accredited institution and five years of professional field experience; and
- b. The prior successful completion of at least three wetland reports.

~~Wetlands, Jurisdictional~~ – See “shoreland areas.”

Wildlife biologist – A person with experience and training in the principles of wildlife management and with practical knowledge in the habits, distribution and environmental management of wildlife. Qualifications include:

- a. Either:
 - i. Certification as a professional wildlife biologist through The Wildlife Society, or;
 - ii. Bachelor of science or bachelor of arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field, from an accredited institution and five years of professional field experience; and
- b. The prior successful completion of at least three habitat managements plans.

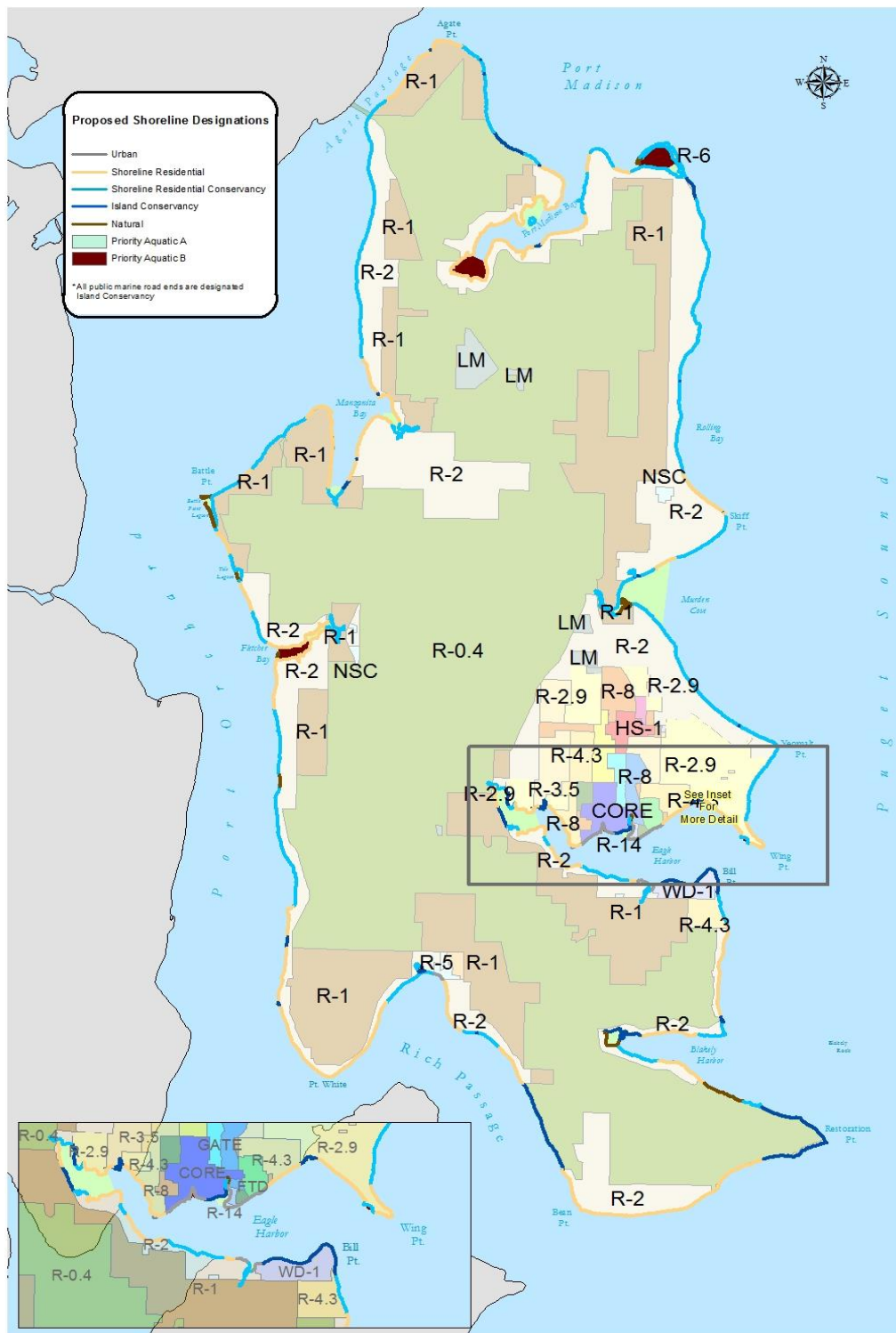
Wildlife habitat – A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.

Zone of Impact –The area of the subject property where the incident wave energy is distributed, in relation to the primary structure and primary appurtenances and the angle of the incident wave.

Zone of Influence – The zone of influence means an area usually upslope from a geologically hazardous area, where changes in land use and hydrology can affect the stability of the geologically hazardous area. The zone of influence is defined as 300 feet upslope from slopes greater than forty percent (40%), and two hundred feet (200’) upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas.

Zoning – To designate by ordinance, including maps, areas of land reserved and regulated for specific land uses.

Appendix A



Shoreline Designation Map

Appendix B

Reserved Critical Areas

B-1. Definitions

For the purposes of this subsection, the following definitions shall apply:

1. ~~“Aquifer recharge area” means the surface area of any geological formation sufficiently pervious to provide fresh water to an aquifer through the process of infiltration and percolation.~~
2. ~~“Base flood” means a general and temporary condition of partial or complete inundation of normally dry land areas having a one percent chance of being equaled or exceeded in any given year. Base flood elevation data is commonly displayed as an elevation line on flood insurance maps, showing the location of the expected whole foot water surface elevation of the base (100-year) flood.~~
3. ~~“Best management practices” (BMPs) means conservation practices or systems of practices and management measures that:~~
 - a. ~~Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and~~
 - b. ~~Minimize adverse impacts to surface water and groundwater flow, and to the chemical, physical, and biological characteristics of critical areas.~~~~BMPs are defined by the United States Department of Agriculture, the State of Washington Department of Agriculture, the Washington State Department of Ecology, Washington State Department of Health, Kitsap Conservation District, and other professional organizations.~~
4. ~~“Buffer” means an area adjoining to and a part of a critical area that is required for the continued maintenance, functioning, and/or structural stability of that critical area, or an area adjacent to a stream or wetland that (a) surrounds and protects the functions and values of the stream or wetland from adverse impacts, (b) is an integral part of a stream or wetland ecosystem, and (c) provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife, and protection from harmful intrusion, to protect the public from losses suffered when the functions and values of the wetland or stream are degraded.~~
5. ~~“Category I, II, III, IV wetlands”: see “Wetland category”.~~
6. ~~“Critical areas” means aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands.~~
7. ~~“Critical habitat” means a habitat identified by US Fish and Wildlife Service or the National Marine Fisheries Service as habitat necessary for survival of endangered or threatened species.~~
8. ~~“Educational or scientific activities” means controlled and/or supervised scientific activities or educational activities that are associated with an educational program that is approved through a conditional use permit.~~
9. ~~“Engineering geologist” means a practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in~~

landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.

10. ~~“Erosion hazard area” means a landform or soil type subject to being worn away by the action of water, wind, freeze thaw, or ice, and which are:~~
 - a. ~~Rated in the Soil Survey of Kitsap County Area, Washington, USDA (1980), as having severe hazard of water erosion, including:~~
 - i. ~~Indianola-Kitsap Complex, 45 to 70 percent slope;~~
 - ii. ~~Kitsap Silt Loam, 15 to 30 percent slope, 30 to 45 percent slope;~~
 - iii. ~~Ragnar Fine Sandy Loam, 15 to 30 percent slope; and~~
 - iv. ~~Schneider very gravelly loam, 45 to 70 percent slope;~~
 - b. ~~Classified in the Department of Ecology Coast Zone Atlas as:~~
 - i. ~~Class 3, class U (unstable) includes severe erosion hazards and rapid surface runoff areas;~~
 - ii. ~~Class 4, class UOS (unstable old slides) includes areas having severe limitations due to slope; and~~
 - iii. ~~Class 5, class URS (unstable recent slides); and~~
 - c. ~~Identified by the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001) as rilled slopes/scarps.~~
11. ~~“Existing development” means a development that was lawfully constructed, approved or established prior to the effective date of the ordinance codified in this chapter.~~
12. ~~“Fish” means species of the vertebrate taxonomic groups Cephalospidomorphi and Osteichthyes.~~
13. ~~“Fish and wildlife habitat” means a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.~~
14. ~~“Fisheries biologist” means a person with experience and training in fisheries who is able to submit substantially correct reports on fish population surveys, stream surveys and other related data analyses of fisheries resources. “Substantially correct” means that technical or scientific errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a fisheries biologist include:~~
 - a. ~~Either:~~
 - i. ~~Certification by the American Fisheries Society, or;~~
 - ii. ~~Bachelor of Science degree in fisheries or the biological sciences from an accredited institution and five years of professional fisheries experience; and~~
 - b. ~~The prior successful completion of at least three habitat management plans; and~~
 - c. ~~The biologist is listed on a roster of qualified professionals prepared by the Director.~~
15. ~~“Frequently flooded areas” means lands subject to a one percent or greater chance of flooding in any given year, as determined by the Federal Emergency Management Agency. These areas include, but are not limited to, floodplains adjacent to streams, lakes, coastal areas, and wetlands. (Also see Chapter 15.16 BIMC, Flood Damage Prevention.)~~

16. “Functions” means the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, aesthetic value protection, and recreation. These roles are not listed in order of priority.
17. “Geologically hazardous areas” means areas susceptible to significant erosion, sliding, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas.
18. “Geotechnical engineer” means a practicing geotechnical/civil engineer who has a valid Washington engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in Chapter 18.43 RCW.
19. “Habitat Management Plan” (HMP) means a report prepared by a professional wildlife biologist or fisheries biologist which discusses and evaluates critical fish and wildlife habitat functions and identifies and evaluates measures necessary to enhance and improve habitat conservation on a proposed development site.
20. “Habitat of local importance” means a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain their population and reproduce over the long term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or areas of high vulnerability to alteration, such as cliffs and wetlands.
21. “Hazard tree” means a tree with structural defects likely to cause failure of all or part of the tree, which could strike a “target.” A target can be a building or a place where people gather such as a park bench, picnic table, street, or backyard. In the case of steep slopes, a hazard tree can also be a tree that is a hazard to stability of the slope, as determined by a geotechnical engineer.
22. “Hazardous substances” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as specified in RCW 70.105.010. (Also see BIMC 18.06.450 through 18.06.510).
23. “Hydric soil” means soil which is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.
24. “Hydrogeologist” means a practicing hydrogeologist who has at least four years of professional employment as a hydrogeologist with experience in the specific subject area in which they are providing a report, and a Washington specialty license in hydrogeology as specified in RCW Chapter 18.220.
25. “Hydrophyte or hydrophytic vegetation” means plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the “Within the Federal delineation manual and Regional supplement or its successor.

26. ~~“Impact of land use” means the relative measure of the intensity of land use used to determine the appropriate buffer widths for wetlands and streams which is categorized as follows:~~
- ~~a. High impact land use includes commercial development, industrial development, institutional development, residential (more than one unit per acre) development, new agriculture (high intensity such as dairies, nurseries, greenhouses, raising and harvesting crops requiring annual tilling, raising and maintaining animals), and high-intensity recreation such as golf courses and ballfields.~~
 - ~~b. Moderate impact land use includes residential development (1 unit/acre or less), new agriculture (moderate intensity such as orchard and hay fields), paved trails, and building of logging roads.~~
 - ~~c. Low impact land use includes low intensity open space such as passive recreation, natural resources preservation, and unpaved trails.~~
27. ~~“Invasive/exotic species” means plants and animals that are not native to the Puget Sound lowlands and are recognized by wetland professionals or biologists to be highly competitive with native vegetation and animals. Invasive/exotic plant species include those listed on the noxious weed list developed by the Washington State Noxious Weed Board, nonnative blackberries and English ivy. Invasive/exotic animal species include any species, such as rats, bullfrogs, zebra mussels and green crabs, considered by resource professionals to be damaging to the native animal populations.~~
28. ~~“Landslide hazard areas” means areas which are potentially subject to risk of mass movement due to a combination of factors, including historic failures, geologic, topographic, and hydrologic features. Some of these areas are identified in the Department of Ecology Coastal Zone Atlas and USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001). The presence of these factors shall be determined through assessment, by the least intrusive means, by the City Engineer or at the City Engineer’s request by a third party geoengineer or geotechnical expert, prior to issuance of any permit. Landslide hazard areas include the following:~~
- ~~a. Areas characterized by slopes greater than 15 percent having springs or groundwater seepage and having impermeable soils (typically silt and clay) overlain or frequently interbedded with permeable granular soils (predominantly sand and gravel);~~
 - ~~b. Any area potentially unstable due to rapid stream incision or stream bank erosion;~~
 - ~~c. Any area located on an alluvial fan, debris flow deposit, or in a debris flowpath, presently or potentially subject to impacts or inundation by debris flows or deposition of stream-transported sediments;~~
 - ~~d. Any area with a slope of 40 percent or greater and with a vertical relief of 10 or more feet except areas composed of competent consolidated rock;~~
 - ~~e. Any area designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas and/or mapped as a landslide or scarp on the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001); or~~
29. ~~“Liquefaction” means a process in which a water-saturated soil, upon shaking, suddenly loses strength and behaves as a fluid.~~
30. ~~“Mitigation categories” means~~
- ~~a. The following specific categories: (need for mitigation ratios)~~

- i. ~~Mitigation, Compensatory: replacing project-induced critical area losses or impacts, including, but not limited to, establishment, re-establishment, rehabilitation or enhancement.~~
 - ii. ~~Mitigation, Establishment: Mitigation performed to intentionally establish a critical area (e.g., wetland) at a site where it does not currently exist.~~
 - iii. ~~Mitigation, Re-Establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former critical area.~~
 - iv. ~~Mitigation, Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions and processes to a degraded critical area.~~
 - v. ~~Mitigation, Enhancement: The manipulation of the physical, chemical, or biological characteristics of a biological wetland to heighten, intensify or improve specific function(s) or to change for specific purposes such as water quality improvement, flood water retention, or wildlife habitat.~~
31. ~~“Normal maintenance” means those usual acts to prevent a decline, lapse or cessation from a lawfully established condition. Normal maintenance includes removing debris from and cutting or manual removal of vegetation in crossing and bridge areas. Normal maintenance does not include:~~
- a. ~~Use of fertilizer or pesticide application in wetlands, Fish and Wildlife Habitat Conservation Areas, or their buffers;~~
 - b. ~~Re-digging ditches in wetlands or their buffers to expand the depth and width beyond the original ditch dimensions;~~
 - c. ~~Re-digging existing drainage ditches in order to drain wetlands on lands not classified as existing and ongoing agriculture under Section B-2(C) (Exemptions).~~
32. ~~“Open space” means undeveloped areas of varied size. Open space often contains distinctive geologic, botanic, zoologic, historic, scenic or other critical area, or natural resource land features.~~
33. ~~“Ravine” means a V-shaped landform generally having little to no floodplain and normally containing steep slopes, which is deeper than 10 vertical feet as measured from the centerline of the ravine to the top of the slope. Ravines are typically created by the wearing action of streams. The top of the slope is determined where there is a significant change in the slope to generally less than a 15 percent slope.~~
34. ~~“Reasonable alternative” means an activity that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation.~~
35. ~~“Repair” means activities that restore the character, size, or scope of a project only to the previously authorized condition.~~
36. ~~“Seismic hazard areas” means areas subject to severe risk of damage as a result of seismic induced ground shaking, or surface faulting. While ground shaking is the principal risk because the entire island will shake significantly, severe damage will occur where slope failure, liquefaction, and settlement are induced by the shaking and surface rupture is created by fault movement. The following areas are considered seismic hazard areas:~~

- a. Seismic Landslide Hazard Areas—Slopes which are stable in non-earthquake periods, but fail and slide during ground shaking;
 - b. Liquefaction Hazard Areas—Areas of cohesionless, loose or soft, saturated soils of low density in association with a shallow groundwater table that are subject to settlement and/or liquefaction from ground shaking, or;
 - c. Fault Hazard Areas—Areas of known surface rupture or significant surface deformation as a result of an active fault movement, including 50 feet on either side.
37. ~~“Site” means the entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership.~~
38. ~~“Streams” means those areas in the City of Bainbridge Island where the surface water flows are sufficient to produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes but is not limited to bedrock channels, gravel beds, sand and silt beds, and defined channel swales. The channel or bed need not contain water year round. This definition is not meant to include irrigation ditches, canals, storm or surface water runoff devices, or other artificial watercourses unless they are used by fish or used to convey streams naturally occurring prior to construction of the water course.~~
39. ~~“Stream Types” means a streams classification system based on fish usage and perennial or seasonal water regime as found in WAC 222-16-030 and meeting the standards listed below:~~
- a. ~~“Type F Stream” means a stream that has suitable fish habitat. If fish usage has not been determined, water having the following characteristics are presumed to have fish use: Streams segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient of 16 percent or less. Determination of fish usage shall use the methodology found in Washington Department of Natural Resource’s Forest Practice Board Manual, Section 13.~~
 - b. ~~“Type Np” means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type Np Waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.~~
 - c. ~~“Type Ns” means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to marine waters, Type F, or Np Waters.~~
40. ~~“Wetland or wetlands” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, estuaries, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm~~

ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as result of the construction of a road, street, or highway. Wetland may include those artificial wetland intentionally created from nonwetland areas to mitigate the conversion of wetlands.

41. ~~“Wetland boundary” means the boundary or edge of a wetland as delineated using the methodology found in Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0). (Per WAC173-22-035, or its successor.)~~
42. ~~“Wetland category” means category as defined in “Washington State Wetland Rating System for Western Washington, Revised,” Department of Ecology publication #04-06-025, or as revised and adopted by the department.~~
43. ~~“Wetland classes” means the classification system of the U.S. Fish and Wildlife Service (Cowardin, et al. 1979).~~
44. ~~Wetland Mitigation:~~
 - a. ~~In-kind: To replace wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement “in category.”~~
 - b. ~~Off-site: To replace wetlands away from the site on which a wetland has been impacted by a regulated activity.~~
 - c. ~~On-site: To replace wetlands at or adjacent to the site on which a wetland has been impacted by a regulated activity.~~
 - d. ~~Out of kind: To replace wetlands with substitute wetlands whose characteristics do not closely approximate those destroyed or degraded by a regulated activity. It does not refer to replacement “out of category.”~~
45. ~~Wetlands, Regulated:~~
 - a. ~~“Regulated wetlands” means:~~
 - i. ~~All Category I and II wetlands;~~
 - ii. ~~All Category III and Category IV wetlands~~
 - b. ~~Category I, II, III and IV wetlands include:~~
 - i. ~~Lands defined as wetlands shall be those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.~~
 - ii. ~~Wetlands created as mitigation and wetlands modified for approved land use activities.~~
 - c. ~~Regulated wetlands do not include artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990 that were unintentionally created as a result of the construction of a road, street, or highway.~~
46. ~~“Wetlands specialist” means a person with experience and training in wetland issues who is able to submit substantially correct reports on wetland delineations, classifications, functional assessments and mitigation plans. “Substantially correct”~~

means that errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a wetlands specialist include:

a. Either:

- i. Certification as a Professional Wetland Scientist (PWS) or Wetland Professional in Training (WPIT) through the Society of Wetland Scientists; or;
- ii. Bachelor of science degree in the biological sciences from an accredited institution and five years of professional field experience; and

b. The prior successful completion of at least three wetland reports; and

c. The specialist is listed on a roster of qualified professionals prepared by the Director.

47. "Wildlife biologist" means a person with experience and training in the principles of wildlife management and with practical knowledge in the habits, distribution and environmental management of wildlife. Qualifications include:

a. Either:

- i. Certification as a professional wildlife biologist through The Wildlife Society; or;
- ii. Bachelor of science or bachelor of arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field, from an accredited institution and five years of professional field experience; and

b. The prior successful completion of at least three habitat managements plans; and

c. The biologist is listed on a roster of qualified professionals prepared by the Director.

46. "Zone of Influence" means an area, usually upslope from a geologically hazardous area, where changes in land use and hydrology can affect the stability of the geologically hazardous area. The zone of influence is defined as 300 feet upslope from slopes greater than 40 percent, and 200 feet upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas.

B-2. Applicability, exemptions, and prior development activity.

A. Applicability. This appendix establishes regulations for the protection of sites which contain critical areas or are adjacent to sites which contain critical areas in the shoreline jurisdiction. Development and land use activities proposed on critical area sites shall comply with the provisions of this Appendix. No action shall be taken by any person, company, agency, governmental body (including the City), or applicant, which results in any alteration of a critical area except as consistent with the purposes, requirements, objectives, and goals of this chapter.

B. Inventory of Critical Areas. This appendix shall apply to all critical areas located within the shoreline jurisdiction of the city. The approximate location and extent of these areas on Bainbridge Island is displayed on various inventory maps available at the city's Department of Planning and Community Development. Maps and inventory lists are guides to the general location and extent of critical areas. Critical areas not shown are presumed to exist on Bainbridge Island and are protected under all the provisions of this chapter. In the event that any of the designations shown on the maps or inventory lists conflict with the site specific conditions, site specific conditions shall control.

C. Exemptions. The following activities are exempt from the requirements of this chapter

1. Emergencies that threaten the public health, safety and welfare. An "emergency" is an unanticipated and immediate threat to public health, safety, or the environment which requires action within a time too short to allow compliance with this chapter, further definition of "emergency" is in Section 8.0 of the Shoreline Master Program. Restoration

~~or mitigation of critical areas and buffers impacted by emergency action shall be required in a timely matter.~~

- ~~2. Normal and routine maintenance of structures, landscaping and vegetation that will not further impact or alter critical areas or buffers.~~
- ~~3. Normal and routine maintenance and operation of pre-existing retention/detention facilities, biofilters and other stormwater management facilities, irrigation and drainage ditches, and fish ponds; provided, that such activities shall not involve conversion of any wetland not currently being used for such activity. Any maintenance of ponds located in stream habitat areas shall require appropriate approval from the Washington Department of Fish and Wildlife.~~
- ~~4. Structural alterations to buildings that do not increase the structural footprint or introduce new adverse impacts to an adjacent critical area, except for structures located on geologically hazardous areas which are not exempt.~~
- ~~5. Normal and routine maintenance or repair of existing utility structures within a right-of-way or existing utility corridor or easements, including the cutting, removal and/or mowing of vegetation.~~
- ~~6. Forest practices conducted pursuant to Chapter 76.09 RCW, except Class IV (general conversions) and Conversion Option Harvest Plans (COHP).~~
- ~~7. Activities within a portion of a wetland buffer or fish and wildlife habitat area buffer located landward of an existing, substantially developed area, such as a paved area, or permanent structure, which eliminates or greatly reduces the impact of the proposed activities on the wetland or fish and wildlife habitat area. The Director shall review the proposal to determine the likelihood of associated impacts.~~
- ~~8. Hazard Tree Removal. Where a threat to human life, property, or slope stability is demonstrated, the Director may allow removal of danger or hazard trees subject to the following criteria:~~
 - ~~a. Tree removal is the minimum necessary to balance protection of the critical area and its buffer with protection of life and property; and~~
 - ~~b. The critical area or its buffer shall be replanted as determined by the Director. The Director may require the applicant to consult with a professional forester or a certified arborist prior to tree removal. Hazard tree abatement can sometimes be achieved by felling the tree or trimming the tree. Habitat needs may require leaving the fallen tree in the riparian corridor or maintaining a high stump for wildlife habitat.~~
- ~~9. Aquifer recharge areas. A person, or property, shall be exempt from the provisions of this chapter unless either of the following is true:~~
 - ~~a. The property is located in a fish and wildlife habitat conservation area, frequently flooded area, geologically hazardous area, and/or wetland; or~~
 - ~~b. One of more of the uses identified in Section B-E are proposed.~~
- ~~D. Standards for existing development.~~
 - ~~1. Existing structures and related improvements. Structures and related improvements that were legally built or vested prior to the effective date of Ordinance No. 2012-4 that do not meet the setback or buffer requirements of this appendix may continue to exist in their present form, and may be altered, including remodeled, reconstructed, or expanded, if such alteration complies with the provisions of this Section and will result in no net loss of ecological function.~~

- ~~2. Existing structures, not located in a geologically hazardous area, that were legally built or vested prior to the effective date of Ordinance No. 2012-4 may be altered if:
 - ~~a. There is no change in the footprint of the building;~~
 - ~~b. The remodel is entirely inside the existing building;~~
 - ~~c. There is no further encroachment into the buffers required pursuant to this chapter unless a Variance is first approved~~~~
- ~~3. Existing property improvements other than structures, including driveways, parking areas, yards, play areas, storage areas, and similar improvements that were legally established or vested prior to the effective date of Ordinance No. 2012-4 may be altered if:
 - ~~a. There is no change in the location of the improvement;~~
 - ~~b. Any alteration of the improvement is entirely inside of the existing boundaries of the improvement;~~
 - ~~c. There is no further encroachment into the buffers unless a Variance is first approved.~~~~
- ~~4. Alterations permitted by this Section shall not be exempt from applicable City review or permit requirements or other applicable City codes.~~

~~B-3. Prescriptive buffers variations.~~

- ~~A. Intent. The City recognizes that in some cases it may not be possible to provide a critical area buffer that meets the dimensions prescribed by this ordinance, due to land area or other constraints. The City further recognizes that in some cases the desired or better critical area protection can be achieved through alternative approaches.
This section provides alternatives that can be pursued in lieu of the prescribed buffers when warranted by site-specific conditions. In considering an application for any of these alternatives, it shall always be the primary intent of the City to protect the functions and values of the critical areas. It is further the intent of the City to ensure that the application of the provisions of this chapter does not deprive an owner from reasonable use of their property.
Any proposed use of the following alternatives shall be supported by analysis utilizing appropriate science, to determine and minimize the impacts of the alternative:~~
- ~~B. Buffer Averaging. If characteristics of the property do not allow reasonable use with prescribed buffers, the Director may allow wetland and/or fish and wildlife conservation area buffer widths to be averaged. It is intended that the process for reviewing a buffer averaging proposal be as simple as possible, while ensuring that the following criteria are met:
 - ~~1. The total area contained within the buffer after averaging shall be no less than that contained within the standard buffer prior to averaging;~~
 - ~~2. The applicant demonstrates that such averaging will clearly provide greater protection of the functions and values of critical areas than would be provided by the prescribed habitat buffers.~~
 - ~~3. The averaging will not result in reduced buffers next to highly sensitive habitat areas; and~~
 - ~~4. The applicant demonstrates one or more of the following:
 - ~~a. That the wetland contains variations in sensitivity due to existing physical characteristics;~~
 - ~~b. That only low intensity uses would be located within 200 feet of areas where the buffer width is reduced, and that such low intensity uses restrictions are guaranteed in perpetuity by covenant, deed restriction, easement, or other legally binding mechanism; or~~~~~~

- ~~c. That buffer averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property.~~
- ~~C. Habitat Management Plan. A Habitat Management Plan may be prepared pursuant to subsection B-4 when it can clearly be demonstrated that greater protection of the functions and values of critical areas can be achieved through the HMP than could be achieved through providing the prescribed habitat buffers. A Habitat Management Plan may be used as a means to protect wetland and/or fish and wildlife habitat conservation area buffers. Habitat Management Plans may not be used to reduce the water quality buffers for wetlands and/or fish and wildlife habitat conservation areas.~~
- ~~D. Public notice. Appropriate notice of, and opportunity to comment on, the proposed use of any of the foregoing alternatives shall be given to surrounding property owners and the general public, in a manner to be established by the Director.~~

~~B-4. Habitat management plan.~~

- ~~A. General. A Habitat Management Plan shall comply with the requirements of this Section, and shall clearly demonstrate that greater protection of the functions and values of critical areas can be achieved through the HMP than could be achieved through providing the prescribed habitat buffers. The Director shall prepare performance standards and monitoring guidelines for Habitat Management Plans, including a program for City oversight of such plans. Once the standards and guidelines are in place, an applicant may propose to implement an HMP as a means to protect habitat buffers associated with wetlands and/or fish and wildlife conservation areas.~~
- ~~B. Intent. HMPs are primarily intended as a means to restore or improve buffers that have been degraded by past activity, and should preserve, and not reduce, existing high quality habitat buffers. While not primarily intended as a means to reduce buffers, the HMP may propose a reduction of the habitat buffer width where it is shown that the HMP will comply with the other requirements of this Section. An HMP shall not reduce the prescribed water quality buffer width as listed in B-8 and B-10 under any circumstance.~~
- ~~C. Effect of buffers. An HMP shall provide habitat functions and values that are greater than would be provided by the prescribed habitat buffers. When habitat buffers are a component of an HMP, they shall be at least the minimum size necessary to accomplish the objectives of the HMP. The HMP may propose, but the City shall not require, a habitat buffer containing a greater area than is required by the prescribed habitat buffer.~~
- ~~D. Impact mitigation—general. The HMP shall encompass an area large enough to provide mitigation for buffer reduction below the standard required buffers, and shall identify how the development impacts resulting from the proposed project will be mitigated. The developer of the plan shall use the best available science in all facets of the analyses. The Washington Department of Fish and Wildlife Priority Habitat and Species Management Recommendations, dated May 1991, and/or bald eagle protection rules outlined in WAC 232-12-292, as now or hereafter amended, may serve as guidance for this report. For Habitat Management Plans addressing wetland buffers, Method for Assessing Wetland Functions, Ecology Publication #99-116 shall be used for guidance in determining function equivalency. All Habitat Management Plans shall be reviewed by a qualified third party selected by the City. The applicant will be responsible for the cost of the review.~~

- ~~F. Map. The Habitat Management Plan shall contain a map prepared at an easily readable scale, showing:~~
- ~~1. The location of the proposed development site;~~
 - ~~2. Property boundaries;~~
 - ~~3. The relationship of the site to surrounding topographic, water features, and cultural features;~~
 - ~~4. Proposed building locations and arrangements;~~
 - ~~5. A legend which includes a complete legal description, acreage of the parcel, scale, north arrow, and date of map revision.~~
- ~~G. Report. The Habitat Management Plan shall also contain a report which contains:~~
- ~~1. A description of the nature and intensity of the proposed development;~~
 - ~~2. An analysis of the effect of the proposed development, activity or land use change upon the wildlife species and habitat identified for protection. If the Habitat Management Plan is addressing wetland habitat, the analysis shall compare an assessment of wildlife habitat suitability of the wetland applying standard buffers with an assessment of habitat suitability as proposed using Method for Assessing Wetland Functions, Washington State Department of Ecology (if available for the specific Hydrogeomorphic classification); and~~
 - ~~3. A plan which identifies how the applicant proposes to mitigate any adverse impacts to wildlife habitats created by the proposed development. For wetland or other habitats protected by this chapter, the application shall show, using the appropriate function assessment methodology, that habitat functions and values are greater after the development than would occur had the prescribed buffers been provided (see Mitigation Plan requirements, Section 16.20.110).~~
 - ~~4. All review comments received from outside reviewers. If the HMP recommends mitigation involving federally listed threatened or endangered species, migratory waterfowl or wetlands, the U.S. Fish and Wildlife Service shall receive a copy of the draft HMP.~~
 - ~~5. The HMP shall specifically address, as appropriate, the following:~~
 - ~~a. Enhancement of existing degraded buffer area and replanting of the disturbed buffer area with native or equivalent vegetation;~~
 - ~~b. The use of alternative on-site wastewater systems in order to minimize site clearing;~~
 - ~~c. Infiltration of stormwater where soils permit;~~
 - ~~d. Retention of existing native or equivalent vegetation on other portions of the site in order to offset habitat loss from buffer reduction; and~~
 - ~~e. The need for fencing and signage along the buffer edge.~~
- ~~H. Mitigation measures. Possible mitigation measures to be included in the report, or required by the Director, could include, but are not limited to:~~
- ~~1. Establishment of buffer zones;~~
 - ~~2. Preservation of critically important plants and trees;~~
 - ~~3. Limitation of access to habitat areas;~~
 - ~~4. Seasonal restriction of construction activities;~~
 - ~~5. Establishing phased development requirements; and~~
 - ~~6. Monitoring plan for a period necessary to establish that performance standards have been met. Generally this will be for a period of seven to ten years.~~

- ~~I. HMP adequacy. The HMP shall demonstrate to the satisfaction of the Director that the habitat functions and values are improved by implementation of the HMP. If there is a disagreement between the Director and the applicant as to the adequacy of the HMP, the issue of plan adequacy shall be resolved by consulting with the Washington Department of Fish and Wildlife for HMPs relating to streams or the Washington Department of Ecology for HMPs relating to wetlands. If the State agencies are not available in a timely manner, the applicant may choose to have the City refer the HMPs to a third party consultant at the expense of the applicant. After consultation with such State departments or third party consultant, the Director shall make a final decision on the adequacy of the HMP.~~
- ~~J. Timing. An HMP must be developed and approved either prior to preliminary plat approval or issuance of the building permit, as applicable, and must be implemented before the City grants either final plat approval or an occupancy permit, as applicable.~~
- ~~K. Performance Surety. The Director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the habitat management plan pursuant to Section B-4.~~

B-5. Application requirements.

- ~~A. Submittal Requirements. In addition to the general submittal requirements for all applications in the Administration Handbook applications for land use or development proposals within critical areas or their buffers shall be filed with the information requested on the application forms available from the Department of Planning and Community Development. The applicant shall not be granted any approval or permission to conduct development or land use in a critical area and/or its buffer prior to fulfilling the requirements of this chapter.~~
- ~~B. Support Information Requirements. When support information is required by the Director it shall contain the following and be prepared by one or more of the experts listed in Subsection B.4 of this section:~~
 - ~~1. A description of the critical areas on or adjoining the site and how the proposed development will or will not impact critical areas, their buffers, and adjoining properties, including:
 - ~~a. Drainage, surface and subsurface hydrology, and water quality;~~
 - ~~b. Existing vegetation as it relates to wetlands, steep slopes, soil stability, and fish and wildlife habitat value; and~~
 - ~~c. Other critical area characteristics and functions.~~~~
 - ~~2. Recommended methods for mitigating impacts and a description of how these methods may impact adjacent properties;~~
 - ~~3. Any additional information determined as relevant by the Director;~~
 - ~~4. Such studies shall be prepared by experts in the area of concern, who shall be selected from a list of approved consultants prepared by the Director, as follows:
 - ~~a. Aquifer recharge study: Hydrogeologist;~~
 - ~~b. Flood hazard area study: Professional civil engineer; hydro-geologist;~~
 - ~~c. Geologically hazardous area study: Engineering geologist; geotechnical engineer; provided that:~~
 - ~~i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or~~~~

- likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and
- ii. ~~Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.~~
 - d. ~~Stream, riparian area, drainage corridor study: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;~~
 - e. ~~Wetland study: Wetlands specialist.~~
 - f. ~~Habitat Management Plans: Wildlife biologist and/or fisheries biologist.~~
5. ~~The Director may in some cases retain experts at the applicant's expense to assist in the review of studies; and~~
6. ~~Such studies shall be prepared in accordance with procedures established by the Director or City Engineer as specified.~~

~~B-6. Mitigation plan requirements.~~

- A. ~~All critical area restoration, creation and/or enhancement projects required pursuant to this appendix either as a permit condition or as a result of an enforcement action shall follow a mitigation plan prepared by an expert approved by the Director. The applicant or violator shall receive written approval of the mitigation plan by the Director prior to commencement. Compensatory mitigation is not required for allowed activities which utilize best management practices to protect the functions and values of regulated critical areas.~~
- B. ~~Purpose of Mitigation Plan. The mitigation plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area. The mitigation plan shall recreate as nearly as possible the original critical area in terms of its acreage, function, geographic location and setting.~~
- C. ~~Mitigation Plan Submittal Requirements. A complete mitigation plan shall consist of plot plans, a written report, and performance bonds, as required below. The plot plans and written report shall be prepared by qualified professionals approved by the Director.~~
1. ~~Plot Plan Requirements. The following information shall be submitted on one or more plot plans (as determined by the Director):~~
- a. ~~A legal description and a survey (boundary and topography) prepared by a licensed surveyor of the proposed development site, compensation site, and location of existing critical area(s) on each. This shall include wetland delineation and existing wetland acreage.~~
 - b. ~~Scaled plot plan(s) indicating:~~
 - i. ~~Proposed construction;~~
 - ii. ~~Zoning setback and critical area buffer requirements;~~
 - iii. ~~Construction phasing and sequence of construction;~~
 - iv. ~~Site cross sections, percent slope, existing and finished grade elevations;~~
 - v. ~~Soil and substrate conditions;~~
 - vi. ~~Grading and excavation plan, including erosion and sediment control plans needed for construction and long term survival; substrate stockpiling locations and techniques, and source controls needed for critical area construction and maintenance;~~

- vii. ~~Landscape plans indicating species, types, quantities, locations, size, spacing or density of planting; planting season or timing; planting instructions, watering schedule and nutrient requirements; source of plant materials or seeds; and, where appropriate, measures to protect plants from destruction or predation; and~~
- viii. ~~Water control structures and water level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc.~~
- 2. ~~Written Report Requirements. A written report shall accompany the plot plan(s) and shall provide the additional information required below. In addition, the report should be used as needed to clarify or explain elements of the plot plan(s).~~
 - a. ~~Baseline Information.~~
 - i. ~~Wetland delineation and existing wetland acreage;~~
 - ii. ~~Vegetative, faunal and hydrologic characteristics;~~
 - iii. ~~Soil and substrate conditions;~~
 - iv. ~~Relationship within watershed and to existing streams, wetlands, ponds, or saltwater;~~
 - v. ~~Existing and proposed adjacent site conditions; and~~
 - vi. ~~Existing and proposed ownership.~~
 - b. ~~Environmental Goals and Objectives. The report shall contain a description of the environmental goals and objectives to be met by the compensation plan. The goals and objectives shall be related to the functions and values of the original critical area or, if out-of-kind wetland mitigation, the type of wetland to be emulated. This analysis shall include, but is not limited to the following:~~
 - i. ~~Site selection criteria;~~
 - ii. ~~Identification of compensation goals;~~
 - iii. ~~Identification of functions and values;~~
 - iv. ~~Dates for beginning and completion of the project and compensation plan;~~
 - v. ~~A complete description of the relationship between and among structures and functions sought;~~
 - vi. ~~Review of available literature and/or known like projects to date in restoring or creating the type of critical area proposed;~~
 - vii. ~~Likelihood of success of the proposed compensation project at duplicating the original critical area. This shall be based on experiences of comparable projects identified in the literature review or existing projects, if any; and~~
 - viii. ~~Likelihood of the ability of the created or restored critical area to provide the functions and values of the original critical area. This shall be based on such factors as surface water and groundwater supply and flow patterns; dynamics of the ecosystem; sediment or pollutant influx and/or erosion, periodic flooding and drought, etc.; presence of invasive flora or fauna; potential human or animal disturbance; and previous comparable projects, if any.~~
 - c. ~~Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the project are met and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance, and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.~~

- d. ~~Detailed Specifications. Written specifications and descriptions of compensation techniques shall be provided. These shall include, but not be limited to, items in Subsection C.2 of this Section.~~
- e. ~~Monitoring Program. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to:~~
 - i. ~~Establishing vegetation plots to track changes in plant species composition and density over time;~~
 - ii. ~~Using photo stations to evaluate vegetation community response;~~
 - iii. ~~Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);~~
 - iv. ~~Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate;~~
 - v. ~~Measuring sedimentation rates, if applicable; and~~
 - vi. ~~Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.~~
- f. ~~A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. A monitoring report shall be submitted annually, at a minimum, documenting milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than seven years.~~
- g. ~~Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.~~
- D. ~~Performance and Maintenance Surety and Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects. In addition, a surety ensuring fulfillment of the compensation project, monitoring program, and any contingency measure shall be posted.~~
- E. ~~City Consultation. The City may consult with and solicit comments from any federal, state, regional, or local agency, including tribes, having any special expertise with respect to any environmental impact prior to approving a mitigation proposal which includes critical areas compensation. The compensation project proponents should provide sufficient information on plan design and implementation in order for such agencies to comment on the overall adequacy of the mitigation proposal.~~
- F. ~~Permit Conditions. Any compensation project prepared pursuant to this section and approved by the Director shall become part of the application for the permit.~~

~~B-7. Aquifer recharge areas.~~

- ~~A. Classification. The entirety of Bainbridge Island is the recharge area for the island aquifers. Certain uses must be carefully evaluated before being approved, and others must be prohibited, in order to protect the city's aquifers, due to the following:~~
- ~~1. Bainbridge Island is dependent upon its aquifers as the sole and essential source for drinking water. Critical recharge areas have the potential to affect potable water where an essential source of drinking water is vulnerable to contamination.~~
 - ~~2. The island aquifers are vulnerable to pollution that has the potential to create a significant public health hazard. High vulnerability is indicative of land uses which produce contaminants that may degrade groundwater and low vulnerability is indicative of land uses which will not.~~
 - ~~3. Susceptibility to pollution is a function of depth of groundwater, permeability of soils, soil types, presence of potential sources of contamination and any other relevant factors.~~
 - ~~4. Soil types that transfer water to the aquifer are rated in terms of infiltration rate. Soil types with the high infiltration rates are associated with areas of high aquifer recharge. The rates and soil types are defined by the U.S. Department of Agriculture, Soil Conservation Service, in the Soil Survey of Kitsap County.~~
 - ~~5. The island aquifers are vulnerable to a reduction in recharge from activities that reduce the infiltration rate on a site.~~
- ~~B. Hydrogeologic Assessment. The following proposed activities will require the preparation of a hydrogeologic assessment:~~
- ~~1. The use of hazardous substances, other than household chemicals used according to the directions specified on the packaging for domestic applications;~~
 - ~~2. The use of injection wells, including on-site septic systems, except those domestic septic systems releasing less than 14,500 gallons of effluent per day; or~~
 - ~~3. Any other activity determined by the Director likely to have an adverse impact on ground water quality or quantity or on the recharge of the aquifer.~~
- ~~C. Hydrogeologic Assessment Requirements. A hydrogeologic assessment shall include, at a minimum, the following site and proposal related information:~~
- ~~1. Available information regarding geologic and hydrogeologic characteristics of the site including the surface location of all critical aquifer recharge areas located on site or immediately adjacent to the site, and permeability of the unsaturated zone;~~
 - ~~2. Ground water depth, flow direction, and gradient based on available information;~~
 - ~~3. Currently available data on wells and springs within 1,300 feet of the project area;~~
 - ~~4. Location of other critical areas, including surface waters, within 1,300 feet of the project area;~~
 - ~~5. Available historic water quality data for the area to be affected by the proposed activity;~~
 - ~~6. Best management practices proposed to be utilized to protect groundwater quality; and~~
 - ~~7. Low impact development practices designed to maintain infiltration rates to the underlying aquifers.~~
- ~~D. Performance Standards—Specific Uses.~~
- ~~1. Storage Tanks. All storage tanks proposed in a critical aquifer recharge area must comply with local building code requirements and must conform to the following requirements:~~
 - ~~a. Underground Tanks. All new underground storage facilities proposed for the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:~~
 - ~~i. Prevent releases due to corrosion or structural failure for the operational life of the tank;~~

- ii. ~~Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substances; and~~
- iii. ~~Use material in the construction or lining of the tank that is compatible with the substance to be stored.~~
- b. ~~Aboveground Tanks. All new aboveground storage facilities proposed for the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:~~
 - i. ~~Not allow the release of a hazardous substance to the ground, ground waters, or surface waters;~~
 - ii. ~~Have a primary containment area enclosing or underlying the tank or part thereof; and~~
 - iii. ~~A secondary containment system either built into the tank structure or a dike system built outside the tank for all tanks.~~
- 2. ~~Vehicle Repair and Servicing~~
 - a. ~~Vehicle repair and servicing must be conducted over impermeable pads and within a covered structure capable of withstanding normally expected weather conditions. Chemicals used in the process of vehicle repair and servicing must be stored in a manner that protects them from weather and provides containment should leaks occur.~~
 - b. ~~No dry wells shall be allowed on sites used for vehicle repair and servicing. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity.~~
- 3. ~~Residential Use of Pesticides and Nutrients. Application of household pesticides, herbicides, and fertilizers shall not exceed times and rates specified on the packaging.~~
- 4. ~~Use of Reclaimed Water for Surface Percolation or Direct Recharge. Water reuse projects for reclaimed water must be in accordance with the adopted water or sewer comprehensive plans that have been approved by the state departments of Ecology and Health.~~
 - a. ~~Use of reclaimed water for surface percolation must meet the ground water recharge criteria given in Chapter 90.46.080(1) and Chapter 90.46.010(10) RCW. The state Department of Ecology may establish additional discharge limits in accordance with Chapter 90.46.080(2) RCW.~~
 - b. ~~Direct injection must be in accordance with the standards developed by authority of Chapter 90.46.042 RCW.~~
- 5. ~~State and Federal Regulations. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations.~~

~~Table 1: Statutes, Regulations, and Guidance Pertaining to
Ground Water Impacting Activities~~

~~Activity~~	~~Statute — Regulation — Guidance~~
~~Above Ground Storage Tanks~~	~~Chapter 173-303-640 WAC~~
~~Animal Feedlots~~	~~Chapter 173-216 WAC, Chapter 173-220 WAC~~
~~Automobile Washers~~	~~Chapter 173-216 WAC, Best Management Practices for Vehicle~~

Activity	Statute — Regulation — Guidance
	and Equipment Discharges (Washington Department of Ecology WQ-R-95-56)
~~Below Ground Storage Tanks~~	~~Chapter 173-360 WAC~~
~~Chemical Treatment Storage and Disposal Facilities~~	~~Chapter 173-303-182 WAC~~
~~Hazardous Waste Generator (Boat Repair Shops, Biological Research Facility, Dry Cleaners, Furniture Stripping, Motor Vehicle Service Garages, Photographic Processing, Printing and Publishing Shops, etc.)~~	~~Chapter 173-303 WAC~~
~~Injection Wells~~	~~Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC~~
~~Junk Yards and Salvage Yards~~	~~Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (Washington State Department of Ecology 94- 146)~~
~~Oil and Gas Drilling~~	~~Chapter 332-12-450 WAC, Chapter 173-218 WAC~~
~~On-Site Sewage Systems (Large Scale)~~	~~Chapter 173-240 WAC~~
~~On-Site Sewage Systems (< 14,500 gal/day)~~	~~Chapter 246-272 WAC, Local Health Ordinances~~
~~Pesticide Storage and Use~~	~~Chapter 15.54 RCW, Chapter 17.21 RCW~~
~~Sawmills~~	~~Chapter 173-303 WAC, Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (Washington State Department of Ecology, 95-53)~~
~~Solid Waste Handling and Recycling Facilities~~	~~Chapter 173-304 WAC~~
~~Surface Mining~~	~~Chapter 332-18-015 WAC~~

Activity	Statute — Regulation — Guidance
Wastewater Application to Land Surface	Chapter 173-216 WAC, Chapter 173-200 WAC, Washington State Department of Ecology Land Application Guidelines, Best Management Practices for Irrigated Agriculture

~~E. Prohibited Uses. Uses Prohibited In Aquifer Recharge Areas. The following activities and uses are prohibited in Aquifer Recharge Areas:~~

- ~~1. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;~~
- ~~2. Underground Injection Wells. Class I, III, and IV wells and subclasses of Class V wells;~~
- ~~3. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade);~~
- ~~4. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store (other than minor sources such as medicinal uses or industrial testing devices) process, or dispose of radioactive substances; and~~
- ~~5. Other Prohibited Uses or Activities:~~
 - ~~a. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and~~
 - ~~b. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a regulated stream.~~

~~B-8. Fish and wildlife habitat conservation areas.~~

~~A. Purpose. This section applies to all Fish and Wildlife Habitat Conservation Areas, as categorized in Subsection B-8 (B) below. The intent of this Section is to:~~

- ~~1. Preserve natural flood control, stormwater storage, and drainage or stream flow patterns;~~
- ~~2. Control siltation, protect nutrient reserves, and maintain stream flows and stream quality for fish and marine shellfish;~~
- ~~3. Prevent turbidity and pollution of streams and fish or shellfish bearing waters;~~
- ~~4. Preserve and protect habitat adequate to support viable populations of native wildlife and fish on Bainbridge Island; and,~~
- ~~5. Encourage non-regulatory methods of habitat retention whenever practical, through education and the Open Space Tax Program.~~

~~B. Fish and Wildlife Habitat Conservation Areas Categories.~~

~~1. Classification. The following categories shall be used in classifying Fish and Wildlife Habitat Conservation Areas:~~

- ~~a. Marine Critical Areas. Commercial and recreational shellfish areas; kelp and eelgrass beds; marine and estuarine waters of the state and herring, sand lance and smelt spawning areas.~~
- ~~b. Streams: All streams which meet the criteria for Type F, Np and Ns waters as set forth in WAC 222-16-030 of the Department of Natural Resources Water Typing System and as further modified by the definitions in this appendix. Once a stream has been classified, the City must document the reasons for changes in the classification.~~

~~c. Fish and Wildlife Conservation Areas:~~

~~i. Class I Fish and Wildlife Conservation Areas: Habitats recognized by federal or state agencies for federal and/or state listed endangered, threatened, and sensitive species documented in maps or data bases available to the City of Bainbridge Island and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.~~

~~ii. Class II Fish and Wildlife Conservation Areas: Habitats for State listed candidate, monitor, or priority species documented in maps or data bases available to City of Bainbridge Island and its citizens, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.~~

~~d. Habitats and Species of Local Importance. This section provides for the designation and protection of habitats and species of local importance.~~

~~i. Designation of species of habitat of local importance can be based on any of the following circumstances:~~

~~(a) Local populations of native species are in danger of extirpation based on existing trends.~~

~~(b) Local populations of native species are likely to become threatened or endangered under state or federal law.~~

~~(c) Local populations of native species are vulnerable or declining.~~

~~(d) The species or habitat has recreation, commercial, game, tribal, or other special value.~~

~~(e) Long term persistence of a species is dependent on the protection, maintenance, and/or restoration of the nominated habitat.~~

~~(f) Protection by other county, state, or federal policies, laws, regulations, or non-regulatory tools is not adequate to prevent degradation of the species or habitat in the city.~~

~~(g) Without protection, there is likelihood that the species or habitat will be diminished over the long term.~~

~~ii. Nomination:~~

~~(a) Any person may nominate habitats and species for designation.~~

~~(b) The nomination should indicate whether specific habitat features are to be protected (for example, nest sites, breeding areas, and nurseries), or whether the habitat or ecosystem is being nominated in its entirety.~~

~~(c) Where the nomination is a specific habitat site, the nomination shall include the name and address of all property owners of record of all assessor parcels within the area potentially affected by the management recommendations. The list shall at a minimum include all properties within 300 feet from the edge of all property identified for special designation.~~

~~(d) The nomination shall include recommended management strategies for the species or habitats. Management strategies must be supported by the best available science, and where restoration of habitat is proposed, a specific plan for restoration must be provided prior to nomination.~~

~~iii. Nomination processing and approval. The decision whether to designate a nominated species or habitat as one of local importance shall be made by the City Council. If approved, the City Council shall pass an ordinance establishing the designation.~~

~~iv. Establishment of specific rules for protection. Within 120 days of the effective date of an ordinance designating a species or habitat of local importance, the Director shall develop an administrative rule addressing protection in compliance with this section.~~

- ~~C. Development Standards. Regulated uses in designated Fish and Wildlife Habitat Conservation Areas and/or buffers shall comply with the performance standards outlined in this Section.~~
- ~~1. Development standards—streams:~~
 - ~~a. Water quality buffers—An applicant shall provide the prescribed water quality buffers in Table 2 unless relief is granted through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.~~
 - ~~b. Habitat buffers—An applicant shall provide either:~~
 - ~~i. The prescribed habitat buffers in Table 2; or~~
 - ~~ii. An approved Habitat Management Plan, pursuant to Section B-4, that clearly provides greater habitat functions and values in perpetuity than the prescribed habitat buffers in Table 2.~~
 - ~~c. Buffer distances shall be measured from the ordinary high water mark (OHM) or from the top of the bank where the OHM cannot be identified. Buffers shall be retained in their natural condition. It is acceptable, however, to enhance the buffer by planting native or equivalent vegetation as approved by the Director.~~
 - ~~d. The buffer width shall be increased to include streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flow, or provide shelter and food for fish. In braided channels, the ordinary high water mark or top of bank shall be defined so as to include the entire stream feature.~~
 - ~~e. Refuse and landscaping debris shall not be placed in buffers.~~
 - ~~f. Streams in Ravines—Buffers. For streams in ravines outside the Mixed Use Town Center with ravine sides 10 feet or greater in height, the buffer width shall be the greater of:~~
 - ~~i. The buffer width required for the stream type; or~~
 - ~~ii. A buffer width which extends 25 feet beyond the top of the ravine.~~
 - ~~h. Building Setback Line. A building surface setback line of 15 feet is required from the edge of any fish and wildlife habitat conservation area buffer except as provided for in Section B-11. Minor structures such as decks or impervious surfaces such as driveways may be permitted if the Director determines that such intrusions will not adversely impact the fish and wildlife habitat conservation area. The setback shall be identified on the site plan and filed as an attachment to the notice on title.~~

Table 2: Stream Buffers

Stream Category	Water Quality Buffer	Habitat Buffer	Total Buffer
Fish Bearing (F)	100 ft	50 ft	150 ft
Non-Fish Perennial (Np)	40 ft	10 ft	50 ft
Non-Fish Seasonal (Ns)	40 ft	10 ft	50 ft

- ~~3. Class I Fish and Wildlife Conservation Areas Development Standards. All development as described within this chapter or within 200 feet of designated Class I Wildlife Conservation Areas shall adhere to the following standards:~~
 - ~~a. The applicant shall submit a Habitat Management Plan as specified in Section B-4 for approval by the Director. If a wildlife conservation area designation is based on the presence of bald eagles, a Bald Eagle Management Plan, approved by the Washington State Department of Fish and Wildlife and meeting the requirements and guidelines of~~

- ~~the bald eagle protection rules, WAC 232-12-292(or its successor), as now or hereafter amended, shall satisfy the requirements for a Habitat Management Plan (HMP).~~
- ~~b. All new development within ranges and habitat elements with which Class I Fish and Wildlife have a significant relationship may require the submittal of a Habitat Management Plan (HMP) as specified in Section B-4. The requirement for an HMP shall be determined during the SEPA/Critical Areas review on the project.~~
 - ~~c. An HMP required pursuant to this section shall consider measures to retain and protect the wildlife habitat and shall consider effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of native or equivalent vegetation.~~
 - ~~d. Increased Buffer Provisions. The Director may increase buffer widths, up to 50% greater than the applicable buffer set in this chapter for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site specific and project related conditions.~~
- ~~4. Class II Fish and Wildlife Conservation Area Development Standards. All development within designated Class II Wildlife Conservation Areas shall adhere to the following standards:~~
- ~~a. An HMP may be required for any proposed development within designated Class II Fish and Wildlife Conservation Areas. The HMP shall consider measures to retain and protect the wildlife habitat and shall consider effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of native or equivalent vegetation. The requirement for an HMP shall be determined during the SEPA/Critical Areas review on the project.~~
 - ~~b. Increased Buffer Provisions. The Director may increase buffer widths, up to 50% greater than the applicable buffer set in this chapter for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site specific and project related conditions.~~
- ~~5. Stream Crossings. Any private or public road expansion or construction which is allowed and must cross streams classified within this chapter, shall comply with the following minimum development standards:~~
- ~~a. Bridges or bottomless culverts shall be required for all streams which have Salmonid breeding habitat. Other alternatives may be allowed upon submittal of a Habitat Management Plan which demonstrates that other alternatives would not result in significant impacts to the Fish and Wildlife Conservation Area, as determined appropriate through the Washington State Department of Fish and Wildlife, Hydraulics Project Approval process. The plan must demonstrate that salmon habitat will be replaced on a 1:1 ratio.~~
 - ~~b. Crossings shall not occur in Salmonid spawning areas unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with the Washington State Department of Fish and Wildlife;~~

- c. ~~Bridge piers or abutments shall not be placed in either the floodway or between the ordinary, high water marks unless no other feasible alternative placement exists;~~
- d. ~~Crossings shall not diminish flood-carrying capacity;~~
- e. ~~Crossings shall serve multiple properties whenever possible;~~
- f. ~~Where there is no reasonable alternative to providing a conventional culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.~~
- 6. ~~Stream Relocations. Stream relocations for the purpose of flood protection and/or fisheries restoration shall only be permitted when adhering to the following minimum performance standards and when consistent with Washington State Department of Fish and Wildlife Hydraulic Project Approval:~~
 - a. ~~The channel, bank, and buffer areas should be replanted with native or equivalent vegetation that replicates a natural, undisturbed riparian condition;~~
 - b. ~~For those shorelands and waters designated as Frequently Flooded Areas pursuant to Section B-1, a professional engineer licensed in the State of Washington shall provide information demonstrating that the equivalent base flood storage volume and function will be maintained; and~~
 - c. ~~Relocated stream channels shall be designed to meet or exceed the functions and values of the stream to be relocated.~~
- 7. ~~Pesticides, Fertilizers and Herbicides. Use of pesticides, fertilizers, herbicides are regulated by Section 4.1.7 of the Shoreline Master Program~~
- 8. ~~Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes Fish and Wildlife Habitat Conservation Areas shall comply with the following procedures and development standards:~~
 - a. ~~The open water area of lakes, streams, and tidal lands shall not be permitted for use in calculating minimum lot area.~~
 - b. ~~Land division approvals shall be conditioned so that all required buffers are designated as an easement or covenant encumbering the buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan.~~
 - c. ~~In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this chapter, including buffer requirements for habitat conservation areas. Each lot must also have access and a sewage disposal system location that are suitable for development which do not adversely impact the Fish and Wildlife Conservation Area.~~
 - d. ~~After preliminary approval and prior to final land division approval, the Director may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when such methods are determined by the Director to provide adequate protection to the aquatic buffer.~~
- 10. ~~Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches, interpretive centers, and viewing platforms, may be allowed in Fish and Wildlife Habitat Conservation Areas or their buffers pursuant to the following standards:~~

- a. ~~Trails and related facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or other such previously disturbed areas which do not provide ecological functions.;~~
- b. ~~Trails and related facilities shall be planned to minimize removal of trees, shrubs, snags and important wildlife habitat;~~
- c. ~~Viewing platforms, interpretive centers, benches and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected conservation area;~~
- d. ~~Trails, in general, shall be set back from streams so that there will be no or minimal impact to the stream from trail use or maintenance. Elevated trails which protect or enhance ecological functions shall be used to the maximum extent feasible. Trails shall be constructed with pervious surfaces when feasible.~~

~~12. Stream Bank Stabilization.~~

- a. ~~A stream channel and bank may be stabilized when naturally occurring earth movement threatens existing structures (defined as requiring a Building Permit pursuant to the applicable building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of Fish and Wildlife Habitat, flood control, and improved water quality.~~
- b. ~~Where bank stabilization is determined to be necessary, bioengineering or other non-structural methods should be the first option for protection. Bulkheads and retaining walls may only be utilized as an engineering solution where it can be demonstrated that an existing residential structure cannot be safely maintained without such measures, and that the resulting retaining wall is the minimum length necessary to provide a stable building area for the structure. The Director may require that bank stabilization be designed by a professional engineer licensed in the State of Washington with demonstrated expertise in hydraulic actions of shorelines. Bank stabilization projects may also require a City of Bainbridge Island clearing or grading permit and Hydraulic Project Approval from the Washington Department of Fish and Wildlife.~~
- c. ~~Nonstructural streambank protective techniques are preferred to bulkheads or other types of streambank armoring. Nonstructural techniques include but are not limited to vegetation plantings and bioengineering.~~

- ~~13. Fencing and Signs. Prior to approval or issuance of permits for land divisions or other new development, the Director may require that the common boundary between a required buffer and the adjacent lands be identified using fencing or permanent signs. In lieu of fencing or signs, alternative methods of buffer identification may be approved when such methods are determined by the Director to provide adequate protection to the buffer.~~

~~B-9. Geologically hazardous areas.~~

- ~~A. General. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas. Zone of influence areas are not considered geologically hazardous areas.~~
- ~~B. Purpose. The intent of this section is to prevent the potential for personal injury or loss of life or property due to flooding, erosion, landslides, seismic events, or soil subsidence. Development must not increase slope instability, and must avoid on-site and off-site impacts, as well as potential risk to structures. Preserving the existing vegetation may be an important part of minimizing those risks.~~
- ~~C. Classification. Geologically hazardous areas shall be classified based upon landslide history and the presence of unstable soils, steepness of slopes, erosion potential, and seismic hazards. Areas in this category are a potential threat to public health, safety, and welfare when construction is allowed. While some potential risk due to construction can be reduced through structural engineering design, construction in these areas should be avoided when the potential risk cannot be reduced to a level comparable to the risk if the site were initially stable prior to construction. Classification and rating shall be based upon the risk to the environment and to development in geologically hazardous areas.~~
- ~~D. Minimum Submittal Requirements:~~
 - ~~1. All geologically hazardous areas and buffers.~~
 - ~~a. Indemnification. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas and buffers. The form of the agreement shall be approved by the City and executed prior to the commencement of construction or site alteration.~~
 - ~~b. Notice A notice of intent to construct on a landslide hazard area or reduce the minimum buffer in a landslide hazard area shall be given pursuant to BIMC 2.16. 20. The notice of intent shall be issued within 14 days of a completed application pursuant to BIMC 2.16.020(5). The notice shall include a 21-day comment period and no permits or approval of reduced buffers shall be issued before the end of the comment period.~~
 - ~~c. All reports or analyses required or prepared pursuant to this Section shall be prepared pursuant to Section B-5, B-9 and/or any other applicable provisions of this appendix, and shall meet the satisfaction of, and be approved by, the City Engineer prior to the commencement of any development activity.~~
 - ~~d. To protect public health, safety and welfare, the City Engineer may call for a third party review of any geotechnical report in cases where there may be potential for substantial damage to life, property or the environment should the proposed engineering solution fail. When a third party review is required, costs incurred for a qualified third party geotechnical engineer to perform the review shall be borne by the applicant.~~
 - ~~e. Geological Hazards Assessment. A Critical Area report is required for all projects in geologically hazardous areas and buffers and shall contain an assessment of geological hazards including the following site and proposal related information at a minimum:~~
 - ~~i. Site and Construction Plans. The report shall include a copy of the site plans for the proposal showing:~~
 - ~~A. The type and extent of geologic hazard areas, any other Critical Areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/geologist;~~

- B. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;
- C. The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and
- D. Clearing limits.
- ii. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:
 - A. A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;
 - B. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
 - C. A description of the vulnerability of the site to seismic and other geologic events.
- iii. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
- iv. Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis. Where the recommended buffers are less than the standard buffers set forth in section Section B-9(E)(2)(a) the rationale and basis for the reduced buffer shall be clearly articulated and demonstrate that the protection standard set forth in that section has been met.
- f. Incorporation of Previous Study. Where a valid Critical Areas report has been prepared for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required Critical Area report, if deemed still valid and appropriate by a professional engineer or geologist. The applicant shall submit a hazards assessment detailing any changed environmental conditions associated with the site based on best professional judgment of the engineer/ geologist.
- g. Mitigation of Long Term Impacts. When hazard mitigation is required, the mitigation plan shall specifically address how the activity maintains or reduces the pre-existing level of risk to the site and adjacent properties on a long-term basis (equal to or exceeding the projected life-span of the activity or occupation). Proposed mitigation techniques shall be considered to provide long-term hazard reduction only if they do not require regular maintenance or other actions to maintain their function. Mitigation may also be required to avoid any increase in risk above the pre-existing conditions following abandonment of the activity.
- h. In addition to the general Critical Area report requirements of section B-9(D) Critical Area reports for geologically hazardous areas must meet requirements of this section. Critical

Area reports for two or more types of Critical Areas must meet the report requirements for each relevant type of Critical Area.

2. ~~Landslide Hazard and Erosion Hazard Areas.~~ In addition to the basic Critical Areas report, a Critical Area report for an erosion hazard or landslide hazard area shall include the following information at a minimum:

a. ~~Erosion Control.~~ An erosion control plan prepared by a civil engineer shall be submitted to the City prior to the issuance of a clearing or grading permit, in accordance with BMC 15.20.

b. ~~The applicant shall provide a geotechnical analysis containing the following information:~~

i. ~~Site Plan.~~ The Critical Area report shall include a copy of the site plan for the proposal showing:

A. ~~The height of slope, slope gradient, and cross-section of the project area;~~

B. ~~The location of springs, seeps, or other surface expressions of ground water on or a zone or distance of potential significant influence as determined by a professional engineer/geologist; and~~

C. ~~The location and description of surface water run-off features.~~

ii. ~~Hazards Analysis.~~ The hazards analysis component of the Critical Areas report shall specifically include:

A. ~~A description of the extent and type of vegetative cover;~~

B. ~~A description of subsurface conditions based on data from site-specific explorations;~~

C. ~~Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;~~

D. ~~An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;~~

E. ~~An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;~~

F. ~~Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down-slope properties;~~

G. ~~A study of slope stability including an analysis of proposed cuts, fills, and other site grading;~~

H. ~~Recommendations for building siting limitations; and~~

I. ~~An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion.~~

iii. ~~Geotechnical Engineering Report.~~ The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:

A. ~~Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;~~

B. ~~Recommendations for drainage and subdrainage improvements;~~

C. ~~Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and~~

- ~~D. Mitigation of adverse site conditions including slope stabilization measures for seismically unstable soils, surface water management, location and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long term soil stability if appropriate.~~
- ~~3. Seismic Hazards Areas. In addition to the basic report requirements, a Critical Area report for a seismic hazard area shall also meet the following requirements:~~
- ~~a. Fault Hazard. The applicant shall provide a geologic/geotechnical analysis containing information specified by the City Engineer that documents the presence or absence of any surface deformation on the site in areas mapped by the City. If deformation is located, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer, which concludes that the development proposal as mitigated meets the standards of this section.~~
- ~~b. Liquefaction Hazard. The applicant shall provide a geotechnical analysis containing information specified by the City Engineer that meets the standards of this section (as mitigated).~~
- ~~c. Seismic Landslide Hazard. The applicant shall provide the same analysis and plan as required for landslide hazard areas, pursuant to Section B-9(D).~~
- ~~4. Tsunami Hazards. The City shall provide applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level with information on tsunami hazards.(may need revision)~~
- ~~5. Zone of Influence Areas beyond the established buffer. The applicant shall have the surface and storm water management plan (See BIMC 15.20)for the project reviewed by a geotechnical engineer to determine if there is any potentially adverse impacts to the landslide hazardous area. If the geotechnical engineer or the City Engineer determines that there are potential adverse impacts, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer which analyzes the potential impacts to the geological hazard from the proposed development in the zone of influence and meets the standards of this section. The report shall contain recommendations to avoid adverse impacts to the geologically hazardous area. Concentrated discharge of stormwater shall only be allowed where specially recommended in the report and authorized by the City Engineer.”~~
- ~~E. Development Standards:~~
- ~~1. General Requirements. The City Engineer shall establish administrative procedures to implement this section. The applicant shall meet the following standards for all new activities permitted in geologically hazardous areas or associated buffers:~~
- ~~a. The proposed activity shall not create a net increase in geological instability, either on or off site, which is defined as follows:~~
- ~~i. The subject parcel shall not be less stable after the planned development than before; and~~
- ~~ii. The adjacent parcels shall not have greater risk or be less stable after the planned development than before.~~
- ~~b. The proposed activity shall not increase the risk of life safety due to geological hazards above professionally acceptable levels.~~
- ~~c. The proposed activity shall not increase the risk due to geological hazards above professionally acceptable levels for:~~
-

- ~~i. Property loss of any habitable structures or their necessary supporting infrastructure on-site or;~~
- ~~ii. Risk to any off-site structures or property of any kind; and~~
- ~~d. Proposed buildings shall be constructed using appropriate engineering methods that respond to the geologic characteristics specific to the site in order to achieve the highest standard of safety feasible.~~
- ~~e. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions and 1.0 for dynamic conditions. Analysis of dynamic conditions shall be based on the minimum horizontal acceleration for the probabilistic maximum considered earthquake as established by the currently adopted version of the International Building Code.~~
- ~~f. The proposed activity shall not further degrade the values and functions of the associated critical areas.~~
- ~~2. Redevelopment of existing structures~~
 - ~~a. If an existing structure is damaged or is intentionally demolished the new structure must meet all the provisions of a new structure.~~
 - ~~b. Structural alteration to an existing legally constructed structure that does not increase the structural footprint and are determined by the City Engineer as having a minimal potential for increasing landslide hazard and meets the minimum buffer deminsions in B-9(E)(3)(i);~~
- ~~3. Development Design and Location. The following requirements shall apply to any land or vegetation modification or construction within a landslide hazard area and/or its buffer as described herein:~~
 - ~~a. Buffer Requirement: A buffer equal to the height of the slope or fifty (50) feet, whichever is greater, shall be established from all edges of a landslide hazard area except where no other reasonable alternative exists, reduction may be allowed as follows:~~
 - ~~i. Buffer Reduction.~~
 - ~~A. Buffer reductions may be allowed provided a critical areas report, pursuant to Section B-9(D)(1)(2) and any other related section of Appendix B, demonstrates to the Director that the buffer reduction will not reduce the level of protection to the proposed development, adjacent properties, and other associated critical areas as required by Section B-9(E)(1).~~
 - ~~B. For slopes forty (40) percent or greater the buffer may in no case be reduced to less than ten (10) feet. A decision by the Director to reduce buffer shall be based on a critical areas report pursuant Section B-9(D)(1)(2) that may includes a third party independent review by a qualified geotechnical engineer pursuant to BIMC Section B-9(D)(1)(d);~~
 - ~~ii. Increased Buffer. The buffer may be increased beyond that specified in subsection (a) above if the Director determines a larger buffer is necessary to prevent risk of damage to proposed development, adjacent development, and uses and the associated critical areas;~~
 - ~~iii. Building Setback. All building and structures shall have a minimum setback of (15) feet from the outer edge of the buffer around landslide hazard areas to allow for construction activity; and~~
 - ~~iv. Vegetation Retention. Unless otherwise provided or as part of an approved alteration, removal of vegetation from an erosion or landslide hazard area or related buffer shall be prohibited.~~

- b. ~~All development proposals shall be designed to avoid impacts to the geologically hazardous areas. The development shall be designed to minimize the footprint of building in other disturbed areas, minimize removal of vegetation, minimize topographic change, and retain open space to the maximum extent practicable;~~
- c. ~~Development design shall utilize clustering, under structure parking, multi-level construction, and tiered foundations to the extent feasible to minimize impervious lot coverage, slope disturbance, and changes to the natural topography;~~
- d. ~~Access shall be in the least sensitive part of the site, and common access drives and utility corridors are required to the extent feasible;~~
- e. ~~Roads, walkways and parking areas shall be designed to parallel the natural contours to the extent feasible;~~
- f. ~~All proposed clearing and tree removal shall be marked in the field for inspection and approval prior to alteration of the site;~~
- g. ~~Cut and fill slopes shall be prepared and maintained to control against erosion and instability;~~
- h. ~~Drainage and stormwater designs in zones of influence shall incorporate elements of low impact design, to the extent feasible, and shall be designed in such a manner that stormwater outlet discharges do not create additional impacts. The proposed activities shall not increase surface water discharge or sedimentation to adjacent properties beyond the pre-development condition; and~~
- F. ~~Exemptions. The following activities are permitted in geologically hazardous areas or associated buffers; provided, that the applicant can demonstrate that applicable standards in Subsection B-9(E)(1) can be met, or where the applicant has demonstrated through a Critical Areas report prepared by a geotechnical engineer in accordance with the specifications of the City Engineer that no adverse impact will result from the proposal and where approved surface water drainage will result in minimum slope and vegetation disturbance:~~
 - 1. ~~Surface Water Management: Slopes or buffers may be used for approved surface water conveyance if no other reasonable alternative route is available. Installation techniques shall minimize disturbance to the slope and vegetation.——~~
 - 2. ~~The construction of approved public or private trails; provided, they are constructed of material, for example cable lift access, which will not contribute to surface water runoff;~~
 - 3. ~~The construction of public or private utility corridors or streets; provided, it has been demonstrated that such alterations will not increase landslide or erosion risks through required analysis pursuant to section B-9(D)(1) and the City determines that no other feasible alternative exists;~~
 - 4. ~~Select Vegetation Removal Activities. The following vegetation removal activities are allowed, provided that no vegetation shall be removed from a geologically hazardous area or its buffer without approval from the Director;~~
 - a. ~~Removal of noxious weeds using non-motorized equipment or light equipment if approved by the Director. Provision for the use of herbicides are in Section 4.1.7 of the Shoreline Master Program. Bare areas remaining after weed removal shall be re-vegetated with native plant species pursuant to an enhancement plan approved by the City.~~
 - b. ~~Removal and pruning of hazard trees as defined ISA (International Society of Arboriculture) standards by provided that a ISA-certified arborist documents the hazard~~

~~and provides a report to the Director for review and approval. Replacement shall be based on the recommendations of the arborist and geotechnical engineer and approved by the Director. The Director may require a second opinion from a certified ISA arborist in cases of removal of hazard trees. Mitigation for tree removal shall follow Section 4.1.2 of the Shoreline Master Program and the following~~

- ~~i. Size of trees shall be approved by the Director. and~~
- ~~ii. The landowner shall ensure 100% survival of replacement trees.~~
- ~~5. The trimming and limbing of vegetation for the creation and maintenance of view corridors in accordance with the pruning standards of the International Society of Arboriculture; provided, that the soils are not disturbed and activity will not increase the risk of landslide or erosion. All vegetation removal must be based on a bluff management plan (SMP Section 4.1.5) developed by a certified arborist and reviewed by a geotechnical engineer to determine if it will impact slope stability. A clearing permit will be required prior to the any vegetation removal.~~
- ~~6. Limited Exemption For landslide areas 40% or greater with a vertical elevation change of up to twenty (20) feet may be exempted from section B-9(E)(2)(i) based on the City review and acceptance of a Critical Areas report from a geologist or licensed geotechnical engineer in accordance with section B-9(D) when no adverse impact will result from the exemption.~~

~~B-10. Wetlands.~~

- ~~A. Purpose. This section applies to all regulated uses within or adjacent to areas designated as wetlands, as categorized in section B-10(B) below. The intent of this Section is listed in no specific priority, as follows:~~
- ~~1. Preserve, protect, restore, and improve wetland functions and values. Achieve no net loss and increase the quality of wetland acreage, functions, and values within the city. Mitigation measures, as conditions of permits, must have a reasonable expectation of success. Under the conditions of this Section, the Director may deny development proposals that would irreparably impact regulated wetlands; and~~
- ~~2. Protect the public's health, safety, and welfare, while preventing public expenditures that could arise from improper wetland uses and activities; and~~
- ~~3. Plan wetland uses and activities in a manner that protects and enhances the natural systems and environmental quality of Bainbridge Island and allows property holders to benefit from wetland property ownership wherever allowable under the conditions of this chapter; and~~
- ~~4. Preserve ecological functions and values of wetlands which provide water quality protection, natural flood control, stormwater storage, contributes to groundwater and stream flow, shoreline stabilization, and wildlife and fish habitat; and~~
- ~~5. Prevent turbidity and pollution of wetlands and fish or shellfish bearing waters, and maintain healthy wildlife habitat; and~~
- ~~6. Encourage land use development patterns that maintain, enhance, or restore natural wetland systems and protect disturbance sensitive and wetland dependent wildlife, fish resources, and open space; and~~
- ~~7. Protect and preserve wetlands values as natural areas providing aesthetic, recreational, and educational opportunities that need to be preserved for future generations; and~~
- ~~8. Enhance the connectivity between wetland landscapes.~~

~~B. Wetland Delineation and Categories. Identification of wetlands and delineation of their boundaries pursuant to this Chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the City of Bainbridge Island meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Chapter.~~

~~—The City uses the Department of Ecology's (DOE's) Washington State Wetland Rating System for Western Washington, 2004, or as amended hereafter and adopted by the Director to categorize wetlands for the purposes of establishing wetland buffer widths, wetland uses and replacement ratios for wetlands. Once a wetland has been classified using the current DOE rating system, the City shall not reclassify the wetland without clearly documenting the reason for the change. If the wetland has a rating in the City GIS system, this rating can be used for regulatory purposes. This system consists of four wetland categories generally described as follows:~~

~~1. Category I wetlands are those that:~~

- ~~a. Represent unique or rare wetland type; or~~
- ~~b. Are more sensitive to disturbance than most wetlands; or~~
- ~~c. Are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or~~
- ~~d. Provide a high level of function.~~

~~—Category I wetlands include estuarine wetlands larger than one acre, bogs, mature and old growth wetlands over one acre, wetlands in coastal lagoons, and wetlands that perform many functions very well as demonstrated by a score of over 70 points using the DOE rating system.~~

~~2. Category II wetlands are difficult, though not impossible, to replace, and provide a high level of function. Category II wetlands include estuarine wetlands smaller than one acre or disturbed and larger than one acre and wetlands that perform functions well as demonstrated by a score of 51–69 using the DOE rating system.~~

~~3. Category III wetlands are wetlands with a moderate level of function as demonstrated by a score of 30–50 points using the DOE rating system.~~

~~4. Category IV wetlands have the lowest level of function as demonstrated by a score less than 30 points using the DOE rating system and are often heavily disturbed.~~

~~C. Regulated and Non-Regulated Wetlands Classification.~~

~~1. Regulated Wetlands:~~

- ~~a. All natural wetlands that meet the criteria in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0)~~
- ~~b. Unintentionally created wetlands that meet the criteria in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0) except as listed in subsection (C)(2)(b) of this section.~~
- ~~c. Wetlands intentionally created from non-wetland areas to mitigate conversion of other wetlands.~~

~~2. Non-Regulated Wetlands:~~

- ~~a. Created Wetlands. Wetlands created intentionally from a non-wetland site that was not required to be constructed as mitigation for adverse wetland impacts. These may include, but are not limited to, irrigation and drainage ditches, grass-lined swales, canals,~~

- detention facilities, wastewater treatment ponds, farm ponds not contiguous, as defined in this chapter, and landscape amenities. The applicant shall bear the burden of proving that the wetland was intentionally created from a non-wetland site. Where enhancements or restorations are made to wetlands for purposes other than mitigation, the original rating shall be maintained even if the changes would otherwise result in a higher classification.
- b.. Recent, Road Construction Related Wetlands. Wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. The applicant shall bear the burden of proving that the wetland meets these criteria.
- D. Development Standards.
1. Water quality buffers—An applicant shall provide the prescribed water quality buffers in this section (Tables 3-6) unless relief is granted through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.
 2. Habitat buffers—An applicant shall provide either:
 - a. The prescribed habitat buffers specified in this section (Tables 3, 4, 5, and 6); or
 - b. An approved Habitat Management Plan, pursuant to section B-4, that clearly provides greater habitat functions and values in perpetuity than the prescribed habitat buffers in this section (Tables 3, 4, 5, and 6).
 3. Buffers. Buffers shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Any buffer enhancement and/or limited view clearing activity must be reviewed and approved by the Director. No refuse shall be placed in the buffer. Alteration of habitat buffer areas may be allowed for water dependent and water related activities and for development authorized by Section B-2 (C) (Exemptions), or Section B-2(D)(Standards for Existing Development), or Section B-3(3) (Buffer Averaging), or through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.
 4. If a wetland meets more than one of the criteria listed in each table, the buffer needed to protect the wetland is the widest one.

Table 3: Category I Wetlands—Buffers

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
Natural Heritage Wetlands	Low Moderate High	50-ft 75-ft 100-ft	75-ft 115-ft 150-ft	125-ft 190-ft 250-ft	No additional discharge of surface water. No septic systems within 300-ft. Restore degraded parts of the buffer
Bogs	Low Moderate High	50-ft 75-ft 100-ft	75-ft 115-ft 150-ft	125-ft 190-ft 250-ft	No additional surface discharges. Restore degraded parts of the buffer.

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
Forested	Low Moderate High	50-ft 75-ft 100-ft	75-ft 115-ft 150-ft	125-ft 190-ft 250-ft	If forested wetland scores high for habitat, maintain connectivity to other natural areas.
Estuarine	Low Moderate High	50-ft 75-ft 100-ft	50-ft 75-ft 100-ft	100-ft 150-ft 200-ft	N/A
Wetlands in Coastal Lagoon	Low Moderate High	50-ft 75-ft 100-ft	50-ft 75-ft 100-ft	100-ft 150-ft 200-ft	N/A
High level of function for habitat (score for habitat is 29-36 pts.)	Low Moderate High	50-ft 75-ft 100-ft	100-ft 150-ft 200-ft	150-ft 225-ft 300-ft	Maintain connectivity to other natural areas. Restore degraded parts of the buffer.
Moderate level of function for habitat (score for habitat is 20-28 pts.)	Low Moderate High	50-ft 75-ft 100-ft	25-ft 35-ft 50-ft	75-ft 110-ft 150-ft	N/A
High level of function for water quality improvement and low for habitat (score for water quality 24-32 pts.; habitat less than 20 pts.)	Low Moderate High	50-ft 75-ft 100-ft	0-ft 0-ft 0-ft	50-ft 75-ft 100-ft	No additional discharges of untreated runoff.
Not meeting any of the above criteria.	Low Moderate High	50-ft 75-ft 100-ft	0-ft 0-ft 0-ft	50-ft 75-ft 100-ft	N/A

Table 4: ~~Category II Wetlands—Buffers~~

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
High level of function for habitat (score for habitat is 29-36 pts.)	Low Moderate High	50 ft 75 ft 100 ft	100 ft 150 ft 200 ft	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas.
Moderate level of function for habitat (score for habitat is 20-28 pts.)	Low Moderate High	50 ft 75 ft 100 ft	25 ft 35 ft 50 ft	75 ft 110 ft 150 ft	N/A
Estuarine	Low Moderate High	50 ft 75 ft 100 ft	25 ft 35 ft 15 ft	75 ft 110 ft 115 ft	N/A
Not meeting any of the above criteria	Low Moderate High	50 ft 75 ft 100 ft	0 ft 0 ft 0 ft	50 ft 75 ft 100 ft	N/A

~~Table 5: Category III Wetlands—Buffers~~

~~Wetland Characteristics~~	~~Impact of Land Use (See Definitions)~~	~~Water Quality Buffer~~	~~Habitat Buffer~~	~~Total Buffer~~	~~Other Protection~~
~~Moderate level of function for habitat (score for habitat is 20-28 pts.)~~	~~Low~~	~~40 ft~~	~~35 ft~~	~~75 ft~~	~~N/A~~
	~~Moderate~~	~~60 ft~~	~~50 ft~~	~~110 ft~~	
	~~High~~	~~80 ft~~	~~70 ft~~	~~150 ft~~	
~~Not meeting above criterion~~	~~Low~~	~~60 ft~~	~~0 ft~~	~~60 ft~~	~~N/A~~
	~~Moderate~~	~~60 ft~~	~~0 ft~~	~~60 ft~~	
	~~High~~	~~80 ft~~	~~0 ft~~	~~80 ft~~	

~~Table 6: Category IV Wetlands—Buffers~~

~~Wetland Characteristics~~	~~Impact of Land Use (See Definitions)~~	~~Water Quality Buffer~~	~~Habitat Buffer~~	~~Total Buffer~~	~~Other Protection~~
~~Larger than 10,000 square feet~~	~~Low~~	~~40 ft~~	~~0 ft~~	~~40 ft~~	~~N/A~~
	~~Moderate~~	~~40 ft~~	~~0 ft~~	~~40 ft~~	
	~~High~~	~~50 ft~~	~~0 ft~~	~~50 ft~~	
~~Smaller than 10,000 square feet~~	~~Low~~	~~40 ft~~	~~0 ft~~	~~40 ft~~	~~N/A~~
	~~Moderate~~	~~40 ft~~	~~0 ft~~	~~40 ft~~	
	~~High~~	~~40 ft~~	~~0 ft~~	~~40 ft~~	

- ~~a. For Category II or III wetlands smaller than 10,000 square feet with a habitat score of less than 20 points, the buffer may be reduced by 50 percent.~~
- ~~b. For the purpose of determining the impact of land use, unless the Director determines a lesser level of impact is appropriate based on information provided by the applicant, the intensity of impact of the adjacent land use is determined based on the “impact of land use” definition.~~
- ~~5. If an applicant elects to propose an HMP, and that HMP proposes habitat buffer widths less than those prescribed in Tables 3—6, the HMP shall be prepared pursuant to Section B-4 and fulfill all requirements specified therein.~~
- ~~6. Table 7 provides examples of measures that might be provided in an HMP or when prescribed buffers are otherwise altered to minimize impacts of certain activities. Other~~

measures may also be effective in minimizing impacts depending on site-specific circumstances and the nature of proposed activity.

Table 7: Examples of measures to minimize impacts to wetlands from different types of activities.

Examples of Disturbance	Examples of Measures to Minimize Impacts	Activities that Cause the Disturbance
Lights	Direct lights away from wetland.	Parking lots, warehouses, manufacturing, residential
Noise	Locate activity that generates noise away from wetland.	Manufacturing, residential
Toxic runoff*	Route all new runoff away from wetland. Establish covenants limiting use of pesticides within 150 ft of wetland. Apply integrated pest management.	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Change in water regime	Infiltrate or treat, detain, and disperse new runoff into buffer.	Impermeable surfaces, lawns, tilling
Pets	Plant dense vegetation around buffer, such as rose, hawthorn, etc.	Residential areas
Human disturbance	Plant buffer with impenetrable natural vegetation appropriate for region.	Residential areas
Dust	Utilize best management practices to control dust.	Tilled fields
* These examples are not necessarily adequate to meet the rules for minimizing toxic runoff if threatened or endangered species are present at the site.		

7. Buffer Measurement. All buffers shall be measured on a horizontal plane from the regulated wetland edge as marked in the field.

8. Fencing and Signs. This section applies to those wetlands and their buffers that are within 200 feet of regulated development activities.

a. Wetland buffers shall be temporarily fenced or otherwise suitably marked, as required by the Director, between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per City approval.

- b. ~~The Director may require that permanent signs and/or fencing be placed on the common boundary between a wetland buffer and the adjacent land. Such signs will identify the wetland buffer. The Director may approve an alternate method of wetland and buffer identification, if it provides adequate protection to the wetland and buffer.~~
- 9. ~~Building or Impervious Surface Setback Lines. A building or impervious surface setback line of 15 feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback may be permitted if the Director determines that such intrusions will not adversely impact the wetland. The setback shall be identified on a site plan and filed as an attachment to a notice on title.~~
- E. ~~Regulated Uses And Activities. New development activities on properties containing regulated wetlands and buffers are subject to the development standards in this section, as permitted in the underlying zoning designation. Requirements for additional activities are specified in Table 8. The City may grant exceptions to these uses and activities according to the intent and specifications of this chapter. All authorized uses and activities in a regulated wetland or its buffer shall be subject to conditions established by the Director and may be subject to mitigation as required by this chapter. Development shall be classified as “allowed,” “permitted,” “special use” or “prohibited” according to this Section. Any regulated uses not specifically listed in Table 8 and Table 4 of the Shoreline Master Program shall be considered unclassified and may be allowed if granted a special use review in accordance with this chapter and the Shoreline Master Program. For the purpose of Table 8, “W” and “B” refer to the terms “wetland” and “buffer.”~~

Table 8: Regulated Uses and Activities in Regulated Wetlands and Buffers

	Category I		Category II		Category III		Category IV	
	W	B	W	B	W	B	W	B
1. Draining Wetlands (associated with no other permitted use, except as allowed under Section 120.C)	X	N/A	X	N/A	X	N/A	X	N/A
Driving of Piles	X	X	S	S	S	S	P	P
2. Educational or Scientific Activities	P	P	P	P	P	P	P	P
3. Enhancement	S	S	P	P	P	P	P	P
4. Excavation (not associated with enhancement)	X	X	S	S	S	S	S	S
5. Fill (associated with no other use)	X	X	X	X	X	X	X	X
6. Fish Hatchery	X	X	S	S	S	S	S	S
7. Flooding (associated with no other use)	X	X	S	S	S	S	S	S
8. Forest Practice-Class IV General or COHP	X	X	X	X	X	X	X	X
9. Golf Course	X	X	X	X	S	S	S	S
10. Land Division	P	P	P	P	P	P	P	P
11. Parks Development-Public & Private	S	S	S	S	S	S	P	P
12. Placing of Obstruction	X—X	X—X	X—X	X—X	X—X	X—X	X—X	X—X
13. Public Facility	X—X	X—S	X—S	S—S	S—S	S—S	S—S	S—S

	Category I	Category II	Category III	Category IV
	W B	W B	W B	W B
14. Public Project of Significant Importance	S S	S S	S S	S S
15. Radio/TV Towers	X X	S S	S S	S S
16. Restoration/Revegetation of Site	S S	P P	P P	P P
17. Road/Street-Public/Private Access				
A) Expand within existing ROW	S S	S S	S S	P P
B) New Facilities	X X	S S	S S	S S
18. Signs- (Interpretation, Hazard, Critical Area Boundary, Survey Markers)	P P	P P	P P	P P
19. Site Investigation (non-mechanized)	A A	A A	A A	A A
Site Investigation (mechanized)	P P	P P	P P	P P
20. Trails and Trail Related Facilities	P P	P P	P P	P P
21. Utility Facility	X X	S S	S S	S S
22. Utility On-Site Sewage Facility	X X	X S	X S	X S
23. Utility Line-Overhead	S S	S S	S S	P P

	Category I	Category II	Category III	Category IV
	W B	W B	W B	W B
24. Utility Line- Underground	X — S	S — S	S — S	S — S

Key: — A = Allowed Outright — P = Permitted Subject to Development Standards and Underlying Permit S = Special Use Review Required — X = Prohibited

F. ~~Additional development standards for regulated uses. In addition to meeting the Development Standards in section D, above, those regulated uses identified below shall also comply with the standards of this section and other applicable state, federal and local ordinances.~~

1. ~~Forest Practice, Class IV General, and Conversion Option Harvest Plans (COHPs). All timber harvesting and associated development activity, such as construction of roads, shall comply with the provisions of this chapter, including the maintenance of buffers around regulated wetlands.~~

a. ~~Density Calculation:~~

i. ~~The actual density that will allowed to be built upon a parcel containing a wetland shall ultimately be determined during the site specific review of the parcel's planned development.~~

ii. ~~In determining the actual density of a parcel based on a specific site plan, the site plan shall locate all buildings outside of the wetland buffers;~~

iii. ~~The number of development rights allowed for any residentially-zoned parcel shall be its size in square feet divided by the number of square feet per home that is required by its zoning;~~

iv. ~~If the land can be subdivided such that all setbacks, buffers, and other zoning requirements can be observed, and no variances are requested, the density from the wetland can be transferred within the property;~~

v. ~~To the extent that the number of allowable development rights cannot be used on-site, they may be sold, traded, or transferred by the property owner through the transfer of development rights program pursuant to Chapter 18.37 BIMC;~~

vi. ~~Property owners may voluntarily extinguish development rights that are provided by the underlying zoning, but the City shall not extinguish any of these rights outside the aforementioned transactions.~~

b. ~~Land division approvals shall be conditioned to require that regulated wetlands and regulated wetland buffers be designated as an easement or covenant encumbering the wetland and wetland buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat or binding site plan, and title.~~

c. ~~In order to implement the goals and policies of this chapter, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.~~

2. ~~Surface Water Management. The following stormwater management activities may be allowed within wetland or buffer areas only if they meet the following requirements, in~~

addition to the development standards in this section and in conformance with the Stormwater Management Ordinance, Chapter 15.20 BIMC:

- a. ~~Surface water discharges from stormwater facilities or structures; provided, that the new surface water discharges to regulated wetlands from retention/detention facilities;~~
- b. ~~Pre-settlement ponds or other surface water management structures; provided, that the discharge does not significantly increase or decrease the rate of flow and/or hydro-period, nor decrease the water quality of the wetland. Water quality treatment best management practices will be required prior to discharge. Pre-treatment of surface water discharge through biofiltration or other means shall be required.~~
3. ~~Trails and Trail-Related Facilities: Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, may be allowed in wetlands or wetland buffers pursuant to the following guidelines:~~
 - a. ~~Trails and related facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or any other previously disturbed areas which do not provide ecological functions.~~
 - b. ~~Trails and related facilities shall be planned to minimize removal of trees, soil disturbance, and existing hydrological characteristics, shrubs, snags, and important wildlife habitat.~~
 - c. ~~Viewing platforms and benches, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland.~~
 - d. ~~Trails and related facilities shall generally be located outside required buffers. Where trails are permitted within buffers they shall be located in the outer portion of the buffer and a minimum of 25 feet from the wetland edge, except where wetland crossings or viewing areas have been approved by the Director. Trail locations close to the wetland may be allowed if the primary purpose of the trail is wetland viewing or enjoyment. Elevated trails which protect or enhance ecological functions shall be used to the maximum extent feasible.~~
 - e. ~~Trails shall generally be limited to pedestrian use unless other more intensive uses, such as bike or horse trails, have been specifically allowed and mitigation has been provided. Trail width shall not exceed five feet unless there is a demonstrated need, subject to review and approval by the Director. Trails shall be constructed with pervious materials unless otherwise approved by the Director.~~
4. ~~Parks. Development of public park and recreation facilities may be permitted; provided, that no alteration of wetlands or wetland buffers is allowed except for uses allowed in Table 8. For example, enhancement of wetlands and development of trails may be allowed in wetlands and wetland buffers subject to special use requirements and approval of a Wetland Mitigation Plan.~~
5. ~~Educational or scientific activities. These activities shall only be permitted if they are directly related to the affected wetland and related buffers, and may include the viewing and sampling of natural systems. They may also include the installation of physical structures, including pervious trails, benches, permanent wildlife watching blinds, boardwalks, viewing platforms, or similar structures, or minor modifications to wetlands and their buffers. Any physical structures or minor modifications are subject to City~~

~~approval to minimize the impacts of human intrusion on the functions and values of critical areas and their buffers according to the following criteria:~~

- ~~a. Minimize the footprint of structures and the number of access points to any particular critical area;~~
- ~~b. Minimize the amount of clearing and grading;~~
- ~~c. Elevate structures where possible;~~
- ~~d. Avoid impacting the flow of water;~~
- ~~e. Use appropriate building materials; and~~
- ~~f. Minimize the impacts of construction.~~
- ~~G. Special Use Review. Development identified as a Special Use Review in Table 8 of this section may be approved, with conditions, or denied according to the procedures and criteria outlined in this subsection. Special Use Review is an administrative process unless the underlying permit requires a public hearing.~~
 - ~~1. The Director is authorized to take action on permits as required by this chapter.~~
 - ~~2. The Director may approve a permit after review of the application and a Wetland Mitigation Plan submitted in accordance with this chapter. The Director shall determine whether the use or activity cannot be avoided because no reasonable or practicable alternative exists, the proposed use is consistent with the spirit and intent of this chapter and it will not cause adverse impacts to the wetland or the wetland buffer which cannot be mitigated. In taking action to approve a Special Use Review, the Director may attach reasonable conditions as necessary to minimize impacts, rectify impacts or compensate for impacts to the wetland or wetland buffer.~~
 - ~~3. The Director shall deny a Special Use Review request if the proposed use or activity is inconsistent with this chapter and/or will cause adverse impacts to the wetland or wetland buffer, which cannot be adequately mitigated and/or avoided.~~
 - ~~4. Special use review requests for agricultural conversions shall include a farm plan developed by the Kitsap Conservation District. The plan shall identify the best management practices for the proposed agricultural activity.~~
 - ~~5. Special Use Review determinations are appealable to the hearings examiner pursuant to BIMC 2.16.020(P).~~
- ~~H. Wetlands and Streams Restoration, Creation, Mitigation, or Enhancement.~~
 - ~~1. Any person who alters regulated wetlands or streams or their standard buffers as required by this chapter shall restore, create or enhance equivalent areas or greater areas than those altered in order to compensate for losses. In the alternative, conservation easements or mitigation banking may be considered as appropriate mitigation provided that areas equivalent to those altered are achieved.~~
 - ~~2. Where feasible, restored or created wetlands and streams shall be a higher category than the altered wetland or stream.~~
 - ~~3. Compensation areas shall be determined according to function, acreage, type, location, time factors, ability to be self-sustaining and projected success. Multiple compensation projects may be proposed for one project in order to best achieve the goal of no net loss.~~
 - ~~4. Given the need for expertise and monitoring, voluntary restoration, creation or enhancement projects or compensatory projects may be permitted only when the Director finds that the proposed project is associated with an activity or development otherwise permitted. Additionally, the applicant shall:~~

- a. Demonstrate sufficient scientific expertise, supervisory capability, and financial resources to carry out the project;
 - b. Demonstrate the capability for monitoring the site and to make corrections during this period if the project fails to meet projected goals and plans; and
 - c. Provide for the long-term protection and management of the compensation area to avoid further development or degradation.
5. Acreage Replacement Ratio. Any applicant proposing to alter wetlands may propose to reestablish, create, rehabilitate, or enhance wetlands in order to compensate for the wetland losses.
- a. Replacement Ratios for Wetlands. Table 9 provides the required replacement ratios for the reestablishment or creation, rehabilitation, or enhancement of a wetland. The first number specifies the replacement acreage of wetlands and the second specifies the acreage of wetlands altered.

Table 9: Replacement Ratios for Wetlands

Category and Type	Re-establishment or Creation	Rehabilitation	1:1 Re-establishment or Creation (R/C) or Enhancement (E)	Enhancement Only
I Forested	6:1	12:1	1:1 R/C 10:1 E	24:1
I Highly functioning	4:1	8:1	1:1 R/C 6:1 E	16:1
I Bog	Not possible	6:1 of a Bog	Case by Case	Case by Case
I Estuarine	Case by Case	6:1 Estuarine	Case by Case	Case by Case
II Estuarine	Case by Case	4:1 Estuarine	Case by Case	Case by Case
II Others	3:1	8:1	1:1 R/C 4:1 E	12:1
III	2:1	4:1	1:1 R/C 2:1 E	8:1
IV	1.5:1	3:1	1:1 R/C 2:1 E	6:1

- b. Replacement ratios for buffers shall be 1:1.
- c. Increased Replacement Ratio. The Director may increase the ratios under the following circumstances:
 - i. Uncertainty as to the probable success of the proposed rehabilitation or creation;
 - ii. Significant period of time between destruction and replication of wetland functions; or
 - iii. Projected losses in functional value.
- d. Decreased Replacement Ratio. The Director may decrease these ratios when there are findings of special studies coordinated with agencies with expertise which demonstrate that no net loss of wetland function or value is attained under the decreased ratio.
- e. In all cases, a minimum acreage replacement ratio of 1:1 shall be required.

- ~~6. Wetland Type. In-kind compensation shall be provided except where the applicant can demonstrate that:
 - ~~a. The wetland system is already significantly degraded and out-of-kind replacement will result in a wetland with greater functions and values;~~
 - ~~b. Scientific problems such as invasive/exotic vegetation and changes in watershed hydrology make implementation of in-kind compensation impossible;~~
 - ~~c. Out-of-kind replacement will best meet identified regional goals (e.g., replacement of historically diminished wetland types); and~~
 - ~~d. Where out-of-kind replacement is accepted, greater acreage replacement ratios may be required to compensate for lost functions and values.~~~~
- ~~7. Location. On-site compensation shall be provided except where the applicant can demonstrate that:
 - ~~a. The hydrology and ecosystem of the original wetland and those who benefit from the hydrology and ecosystem will not be substantially damaged by the on-site loss;~~
 - ~~b. On-site compensation is not scientifically feasible due to problems with hydrology, soils, or other factors;~~
 - ~~c. Compensation is not practical due to potentially adverse impacts from surrounding land uses;~~
 - ~~d. Existing functions and values at the site of the proposed restoration are significantly greater than lost wetland functional values;~~
 - ~~e. That established regional goals for flood storage, flood conveyance, habitat or other wetland functions have been established and strongly justify location of compensatory measures at another site;~~
 - ~~f. There is no feasible location for on-site mitigation;~~
 - ~~g. Off-site compensation shall occur within the same watershed, if feasible, as the wetland loss occurred; provided, that Category IV wetlands may be replaced outside of the watershed when there is no reasonable alternative; and~~
 - ~~h. In selecting compensation sites, an applicant shall pursue siting in the following order of preference:
 - ~~i. Upland sites which were formerly wetlands;~~
 - ~~ii. Idled upland sites generally having bare ground or vegetative cover consisting primarily of invasive introduced species, weeds, or emergent vegetation; or~~
 - ~~iii. Other disturbed upland.~~~~~~
- ~~8. Timing. Wherever feasible, compensatory projects shall be completed prior to activities that will disturb wetlands, and immediately after activities that will temporarily disturb wetlands. In all other cases, except for Category I wetlands, compensatory projects should be completed prior to use or occupancy of the activity or development which was conditioned upon such compensation. Construction of compensation projects shall be timed to reduce impacts to existing wildlife and flora.~~
- ~~9. Cooperative Restoration, Creation or Enhancement Projects. The Director may encourage, facilitate, and approve cooperative projects wherein a single applicant or other organization with demonstrated capability may undertake a compensation project with funding from other applicants under the following circumstances:
 - ~~a. Restoration, creation or enhancement at a particular site may be scientifically difficult or impossible; or~~~~

- ~~b. Creation of one or several larger wetlands may be preferable to many small wetlands;~~
- ~~c. Persons proposing cooperative compensation projects shall:~~
 - ~~i. Submit a joint permit application;~~
 - ~~ii. Demonstrate compliance with all standards;~~
 - ~~iii. Demonstrate the organizational and fiscal capability to act cooperatively; and~~
 - ~~iv. Demonstrate that long-term management can and will be provided.~~

~~10. Mitigation Banking.~~

- ~~a. The City may consider and approve replacement or enhancement of wetlands to address unavoidable adverse impacts caused by development activities through an approved wetland mitigation bank. Compensatory mitigation in advance of authorized impacts must be provided through an approved mitigation bank if a bank is used.~~
- ~~b. When off-site mitigation is authorized, the Director shall give priority to locations within the same drainage basin as the development proposal site that meet the following:~~
 - ~~i. Mitigation banking sites and resource mitigation reserves as authorized by this chapter;~~
 - ~~ii. Private mitigation sites that are established in compliance with the requirements of this chapter and approved by the Director; and~~
 - ~~iii. Public mitigation sites that have been ranked in a process that has been supported by ecological assessments.~~
- ~~c. The Director may require documentation that the mitigation site has been permanently preserved from future development or alteration that would be inconsistent with the functions of the mitigation. The documentation may include, but need not be limited to, a conservation easement, transfer of clearing credits or other agreement between the applicant and owner of the mitigation site. The City may enter into agreements or become a party to any easement or other agreement necessary to ensure that the site continues to exist in its mitigated condition.~~
- ~~d. The Director shall maintain a list of sites available for use for off-site mitigation projects.~~
- ~~e. The Director may develop a program to allow the payment of a fee in lieu of providing mitigation on a development site. The program should address:~~
 - ~~i. When the payment of a fee is allowed, considering the availability of a site in geographic proximity with comparable hydrologic and biological functions and potential for future habitat fragmentation and degradation; and~~
 - ~~ii. The use of the fees for mitigation on public or private sites that have been ranked according to ecological criteria through one or more programs that have included a public process.~~

B-11. Frequently Flooded Areas

~~A. Classification. Classification for frequently flooded areas shall be consistent with the 100-year floodplain designation of the Federal Emergency Management Agency and the National Flood Insurance Program. In addition, the following criteria shall be considered when designating and classifying these areas:~~

- ~~1. Flooding impact to human health, safety, and welfare and to public facilities and services;~~
- ~~2. Available documentation including federal, state, and local laws, regulations and programs, local maps, and federally subsidized flood insurance programs;~~

~~3. The future floodplain defined as a channel of the stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow at build-out without any measurable increase in flood heights; and~~

~~4. The effect of high tides with strong winds, and greater surface runoff caused by increasing impervious surfaces.~~

~~B. Standards:~~

~~1. Development shall not reduce the effective base flood storage volume. Effective storage capacity shall be maintained.~~

~~2. Grading or other regulated activities which would reduce the flood water storage volume shall be mitigated by creating compensatory storage on- or off-site. Applicants must provide mitigation plans pursuant to this chapter.~~

~~3. Base flood data and flood hazard notes shall be on the face of any recorded plat or site plan including, but not limited to, base flood elevations, flood protection elevation, boundary of floodplain, and zero-rise floodway.~~

~~4. Applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level shall be provided with information on sea level rise. (Ord. 2005-03 § 2, 2005)~~

~~B-12 The Winslow Ravine Special Rules in Mixed Use Town Center.~~

~~A stream commonly known as the “Winslow Ravine Stream” is located in a ravine commonly known as, and identified on department maps as, the “Winslow Ravine”. Both the stream and the ravine are partially located in the Mixed Use Town Center (MUTC). In order to accommodate more dense development within the MUTC, and recognizing the significant distance from the top of the ravine to the stream and its adjacent wetlands, in lieu of the buffer and setback rules provided for Fish and Wildlife Conservation Areas (Section B-8) and Wetlands (Section B-10), the applicant may select the prescriptive option or the mitigated option with respect to the Winslow Ravine Stream and the Winslow Ravine within the MUTC as described below:~~

~~A. “Option A” Prescriptive Standards:~~

~~CATEGORIES~~	~~BUFFER WIDTH STANDARD~~	~~MINIMUM BUILDING SETBACK~~	~~OTHER DEVELOPMENT STANDARDS~~
~~Streams, Wetlands and Wildlife Conservation Areas associated with the Winslow Ravine or~~	~~50 feet beyond the top of the Winslow Ravine.~~	~~15 feet beyond the buffer.~~	

Winslow Ravine Stream within the MUTC.			

B. “Option B” – Mitigated Standards. The applicant shall demonstrate by submittal of necessary studies and proposed mitigation, that measures can and will be taken to ensure that the functions and values provided by the buffers prescribed under “Option A” are retained or improved.

CATEGORIES	BUFFER WIDTH STANDARD	MINIMUM BUILDING SETBACK	OTHER DEVELOPMENT STANDARDS
Streams, Wetlands and Wildlife Conservation Areas associated with the Winslow Ravine or Winslow Ravine Stream within the MUTC.	25 feet beyond the top of the Winslow Ravine.	10 feet beyond the buffer.	The buffer area shall be landscaped to facilitate filtration and infiltration of storm water. If such landscaping is installed, the buffer area may be used for recreational purposes. Fences, sitting areas and walking paths are allowed within the buffer area. There is no requirement that the buffer be dedicated as permanent open space tracts or otherwise.

Table I – Shoreline Study Requirements

Use	Analyses Required
All Activities below Mean Higher High Water	Dive Survey and/or Biological Evaluation or Biological Assessment [‡]
Pier and Docks	Dive Survey and/or Biological Evaluation or Biological Assessment [‡]
Shoreline Armoring (bulkhead and revetments)	Sediment analyses Biological Evaluation or Biological Assessment [‡]
Development Activities Disturbing Native Vegetation Zone (Single Family Residences or Commercial)	Re-vegetation Plan

Footnotes:

[‡]Only as required by Washington Department of Fish and Wildlife, US Army Corp of Engineers, NOAA Fisheries or US Fish and Wildlife.

~~Additional Studies may be required by the Director as necessary to determine whether the application meets the decision criteria for Shoreline Substantial Development Permit, Shoreline Substantial Development Exemption, Shoreline Conditional Use Permit or Shoreline Variance.~~

Appendix C

Buffer Recommendation Memorandums

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: City Council

FROM: Libby Hudson, Long Range Planning Manager
Ryan Ericson, Associate Planner

DATE: August 11, 2011

RE: Herrera Environmental Consultants Memorandum documenting
Marine Shoreline Buffer Recommendation Discussions
City Council Special Meeting of August 16, 2011

The attached memorandum has been provided by the City's scientific consultants, Herrera Environmental Consultants, to assist the City in developing buffer recommendations as part of the Shoreline Master Program Update process. The memo is intended to be utilized by the citizen workgroups, Planning Commission and City Council in reviewing and updating the vegetation conservation buffer and management standards.

This memo is informed by the science summarized in two documents that the City commissioned, the *Nearshore Assessment Summary of Best Available Science* (Battelle, October 2003) and the *Summary of Science Addendum* (Herrera, 2011). The memo reflects the outcome of buffer requirement discussions with Herrera and City staff, the requirements of the state Shoreline Master Program (SMP) Guidelines (WAC 173-26), and the policy direction of the citizen workgroups. In respect to vegetation conservation for the SMP Update, the state Guidelines [WAC 173-26-201(3)(d)(viii) and 173-26- 221(5)(b)] direct that the City should:

- Identify measures and regulations that address conservation of vegetation and ensure that new development meets vegetation conservation objectives;
- Assure no net loss of shoreline ecological functions and ecosystem-wide processes through a variety of measures, including setback and buffer standards;
- Identify ecological processes and functions of vegetation that are important to the local aquatic and terrestrial ecology and provide measures that conserve sufficient vegetation to maintain these functions;

- Vegetation conservation areas are not necessarily intended to be closed to use and development, but should provide for management of vegetation in a manner adequate to assure no net loss of shoreline function.

The City's existing SMP utilizes vegetation buffers known as Native Vegetation Zones (NVZ). The policy direction from the SMP Vegetation Conservation Workgroup suggests that in updating these buffers, the City should:

- Protect and restore shoreline vegetation to maintain and enhance ecological functions, human safety, personal property protection, and shoreline views and vistas. (Vegetation Conservation and Management Zones Draft Goal); and
- Establish shoreline vegetation conservation and management zones immediately upland of ordinary high water mark (OHWM) for each shoreline use and shoreline characterization, recognizing the pattern of development, shoreline ecological and ecosystem wide processes, and using current science and technical information, as described in WAC 173-26-201(2)(a). (Vegetation Conservation and Management Zones Draft Policy #6).

Developing Marine Shoreline Buffer Recommendations

The process used to develop the memorandum and the suggested range of buffers included several stages and was completed during a series of discussions with the consultant team and staff, including the following:

1. Reviewing the science related to buffers (summarized at the beginning of the memo, page 1). This was completed by Herrera.
2. Developing a concept for a two-zoned management area (buffer) that is comprised of a more protective (and more restricted use and activity) zone adjacent to the OHWM, and a more flexible zone (allowing minimal use, activity and alteration to vegetation) situated within the remaining portion of the management area. This concept is described on page 6 of the Herrera memo, under *Marine Shoreline Buffer and Riparian Protection Zone Recommendations*. The two-zoned management area concept was developed with Herrera and City staff, first agreeing on principles that met the SMP Guidelines and the policy direction of the citizen workgroup. These are outlined in the section *Agreed Principles*, page 9 of the Herrera memo.
3. Developing dimensional recommendations. The *Buffer Considerations and Recommendations* section of the memo, page 11, was developed using the two-zone concept and developing principles that are informed by the science and the characteristics of the Bainbridge Island shoreline. Widths were then established for the management areas and applied to the proposed shoreline designations, (Table 1, page 12). This was completed by Herrera and modified by City staff to reflect the policy direction of the citizen workgroups and the proposed shoreline designation map.

Terminology

Vegetation conservation is important for managing and retaining shoreline vegetation in both the state SMP Guidelines and in the City's existing SMP (which included Native Vegetation Zones established for all shoreline designations). These management areas are intended to protect

shoreline functions, primarily related to vegetation. In the scientific literature and within local shoreline master programs, these areas might be called different names, including “buffers”, “setbacks” or “management areas”. This can be confusing since the terms for different management tools are frequently interchanged. Technical and scientific literature refer to buffers as relatively undisturbed areas that protect ecologically sensitive areas, while planning and regulatory terminology often allows some limited disturbance of the buffer area. This document uses the planning and regulatory definition of buffers.

As a management tool, these protective areas have the following in common: the area is a designated dimensional area situated along the shoreline, measured from the OHWM landward, with adopted regulations that limit uses and activities within these areas. The width of this area may be a fixed width or a flexible width (as is proposed here).

The Herrera memo uses terminology for this protective area, describing it as a marine shoreline buffer or *Standard Buffer*, that includes an inner zone, the *Riparian Protection Zone* (RPZ), which is measured adjacent to the OHWM.

These terms are slightly different in the draft Vegetation Conservation and Management Zones regulations, in which the entire buffer is called the *Standard Shoreline Buffer* (SSB) and is comprised of two zones, the *Riparian Protection Zone* (RPZ) and the *Marine Shoreline Zone* (MSZ).

Revised Memorandum

The Herrera Memorandum was revised on August 11, 2011 to provide additional clarification and to correct or clarify some citations used in the document.

Herrera Environmental Consultants, Inc.

Memorandum

To Ryan Ericson, Associate Planner, and Libby Hudson, Division Manager
City of Bainbridge Island

From Amanda Azous, José Carrasquero, and Jeff Parsons,
Herrera Environmental Consultants;
Lisa Grueter, BERK

Date August 2, 2011

Subject Documentation of Marine Shoreline Buffer Recommendation Discussions

The following discussion documents thoughts and considerations with respect to marine shoreline buffers for different shoreline use designations. The discussion is based on a review of the City of Bainbridge Island's (City) existing marine shoreline buffer regulations, the City's shoreline character, nearshore assets, existing and future land uses, scientific recommendations for marine buffers, as well as discussions with City staff. This memo begins with describing what a marine shoreline buffer is and how it differs from a riparian area; followed by a summary discussion of science-based buffer recommendations; and closes with buffer recommendations for the City's shoreline management plan update. For reference, marine shoreline buffer widths currently required by the City's shoreline regulation are provided in Attachment A, and are taken from Chapter 16.12 BIMC.

Marine Shoreline Buffers and Riparian Areas

Marine shoreline buffers are used in the City to regulate areas to protect the marine nearshore from the effects of land use activities (such as construction of buildings, driveways, and other infrastructure). Marine shoreline buffers may have variable widths, and use restrictions generally apply uniformly to the entire buffer area. This discussion in part serves to distinguish the concept of a marine shoreline buffer from that of a riparian area, which is an integral part of an aquatic ecosystem and, therefore, requires a more protective level of regulation.

A riparian area differs from a marine shoreline buffer in that it describes the terrestrial ecosystem directly adjacent to the marine nearshore that interacts with the aquatic environment. For example, intact riparian areas have native plant communities comprised of varying species of herbs and grasses, shrubs, deciduous trees, and coniferous stands of various ages and they are integral to the proper functioning of the nearshore. Native plant species are those species that occur or historically occurred on Bainbridge Island before European contact based upon the best available scientific and historical documentation.

Key functions supplied by riparian areas include providing large woody debris (LWD), bank stability, marine species food sources such as detritus and insects, and temperature moderation of beach substrate. This includes providing an overhanging, complex network of branches, trunks,

stems and roots that act to moderate nearshore wave energy. In contrast, marine shoreline buffers may include non-native landscaping, vegetable gardens, and lawns as well as possibly, native vegetation communities.

Because the functions provided by a riparian area are fundamental to maintaining a healthy functioning marine nearshore, it is recommended that the City designate a riparian protection zone (RPZ) with more restricted uses and assign a separate marine shoreline buffer to protect the RPZ. This would be done to protect such areas that are currently intact, and to establish an RPZ where such areas do not currently exist such as when properties re-develop, remodel or otherwise expand development. The RPZ would be treated as a conservation area to preserve the essential relationship between nearshore and shoreline ecological functions.

Some activities allowed within the RPZ would be weed removal, hazardous tree or limb removal, or shoreline oriented uses that are a high priority such as water dependent uses on private parcels or nearshore access and water enjoyment uses in public park areas.² This approach will help to ensure the protection of what remains of the City's intact riparian zones and will facilitate and provide more flexibility for uses within marine shoreline buffers. Policies, incentives and regulations that support restoration of riparian areas (such as through restoration of native plant communities) would benefit increases in nearshore habitat and functions and assist with showing no net loss.

Scientific Importance of Marine Shoreline Buffers and Riparian Areas

Sustaining habitats and species requires protection of the ecological functions and processes that support survival and population success, in addition to the direct protection of the habitats themselves. Without adequate habitat protection, ecological functions and key natural processes become degraded. In response to this risk, scientifically based recommended buffer widths and site-specific methods for determining buffers have been established in several sources. These sources were reviewed and reported in the City's Addendum to the Summary of Science Report (Herrera 2011) and are briefly summarized here.

Marine Shoreline Buffers

Factors relevant to the effectiveness of marine shoreline buffers, or of a given buffer width, include the type and intensity of surrounding land development, influence of groundwater, stability of slopes or bluffs, types of pollutants and their sources, vegetation dynamics (such as type and density), and geomorphic functions of driftwood or other habitat features that might affect the functions and values of the buffer (Brennan et al. 2009). For example, slopes that are more susceptible to massive failure may require a larger buffer, particularly if existing development is contributing to an increased rate of erosion such as from poor stormwater management and a lack of stabilizing vegetation. Feeder bluffs contributing to spawning beaches may require a larger buffer in order to protect future development while also decreasing the future need for shoreline armoring. Parcels with marshes, lagoons, or spit / barrier / backshores likewise may require wider buffers to protect these important ecological features. Steep slopes comprised of bedrock (relatively rare in the City) or stable high bluffs (greater than 5 meters)

² Allowances in the RPZ are more fully discussed in recommendations starting on page 6.

may allow for a narrower buffer as slope stability and sediment sources would not be impacted by development.

Much of the existing riparian and buffer literature is related to freshwater systems therefore, Washington Department of Fish and Wildlife (WDFW) established a panel of scientists in 2008 to assess the freshwater riparian scientific literature to determine its applicability to marine shoreline systems. The result of the literature review, and the Marine Riparian Workshop Proceedings conducted by the scientific panel in 2008 was a common consensus that freshwater riparian buffer research was conceptually applicable to marine shorelines (Brennan et al. 2009). The data provided by the WDFW panel (Brennan et al. 2009) suggest that necessary buffer widths vary considerably depending on the site-specific characteristics and the functions to be protected. For example, in order to achieve at least 80 percent effectiveness at removing pollutants from stormwater runoff, recommended buffers varied from as little as 16 feet to as large as 1,969 feet depending on the slope, depth and type of soil, surface roughness, density of vegetation and the intensity of the land use. Buffer widths for organic matter contributions (such as plant litter and terrestrial insects) ranging between 16 and 328 feet from the shoreline, depending on site conditions, were reported by Bavins et al. (2000) for providing this function. Buffers to protect the large woody debris function important to habitat structure and shoreline stability were suggested to be between 33 and 328 feet. However, given that trees located 300 feet landward from the edge of a bluff or bank would not immediately be recruited on the nearshore, consideration should be given to the site's potential tree height and the current and expected rate of bluff or bank retreat when establishing buffers for providing large woody debris. The WDFW panel found that buffer widths to support a number of specific riparian functions were identified by May (2003) and Knutson and Naef (1997). May recommended 98 feet for fine sediment control, and shade and microclimate control and 164 feet for the LWD function. Knutson and Naef recommended 138 feet for fine sediment control, 90 feet for temperature moderation, and 147 feet for LWD and litter fall functions. The panel's review indicated that recommendations for wildlife habitat protection ranged from 50 feet (specific to highly rural areas) to 328 feet.

Riparian Areas

An extensive body of research and literature has emerged over the last three decades which documents the specific importance of riparian areas in providing ecological functions related to waters of the state. These functions include the following (Romanuk and Levings 2010; Brennan et al. 2009; Lemieux et al. 2004):

- Water quality maintenance
- Fine sediment control
- Large woody debris delivery and retention
- Microclimate moderation
- Nutrient delivery and retention
- Terrestrial carbon source to nearshore food webs
- Fish and wildlife habitat creation and maintenance
- Direct food support for juvenile salmonids
- Hydrologic based slope stability

There is consensus in the scientific community that marine riparian areas are critical to sustaining many ecological functions (Desbonnet et al. 1994; Brennan and Culverwell 2004; Lemieux et al. 2004; Brennan et al. 2009). Marine riparian shoreline vegetation is an important component of nearshore habitat throughout the Puget Sound region (Herrera 2007; Lemieux et al. 2004; Levings and Jamieson 2001; Redman et al. 2005) and includes both upland forested plant communities occurring on the shoreline as well as unique vegetation found only in the marine nearshore (Lemieux et al. 2004). Marine riparian areas contain elements of both aquatic and terrestrial ecosystems that mutually influence each other (Knutson and Naef 1997; Fresh et al. 2004; Lemieux et al. 2004). For example, juvenile salmon consume terrestrially derived carbon which can extend into the low intertidal zone (Romanuk and Levings 2010), and salmon are well known conduits for returning marine derived nutrients into freshwater systems (Chaloner et al. 2002; Wipfli 2003). Beach wrack and detritus accumulated in driftwood and tree fall in the nearshore zone, provide both terrestrial and marine derived food sources for invertebrates, fish, birds, and other organisms (Lewis 2007; Brennan et al. 2009). Riparian vegetation also provides contributions of organic matter, moisture, and nutrients that assist in the establishment and maintenance of estuarine marsh plants (Eilers 1975; Williams and Thom 2001).

These interactions between riparian vegetation and the nearshore marine environment are important to the survival and population success of numerous species that depend on marine habitats. Conservation efforts which, preserve the natural processes of detritus and nutrient conveyance, and organic debris accumulation, are therefore important in the marine environment. The establishment of significant protection for marine riparian areas is an important management strategy for protecting marine habitat conservation areas.

In literature reviews conducted to evaluate the potential impacts of removing riparian vegetation on numerous sensitive species, several mechanisms of impact have been identified (Herrera 2007b, 2008b). The degree of impact to the aquatic environment depends upon the magnitude of the vegetation removal or alteration (such as size and number of trees affected, and total area cleared of vegetation). At more severe levels, riparian vegetation modification could result in the following impacts, which would have subsequent implications for species survival and overall habitat condition:

- **Altered shade and temperature regime:** Caused by direct removal of vegetation.
- **Reduced bank and shoreline stability:** Caused by degradation of riparian vegetation, loss of vegetative cover and root cohesion, and reduced resistance to erosion. This may in turn affect aquatic habitat by increasing suspended sediments and altering riparian habitat structure.
- **Altered organic material contributions:** Caused by reduced source of leaf litter, woody debris, terrestrial insects, and other biota.
- **Altered habitat complexity and increased habitat fragmentation:** Caused by removal of native vegetation and creating habitat favored by invasive species.

There are geologic constraints on the type and density of vegetation that can establish on some areas of marine shoreline. For example, many bedrock shorelines are limited in the development of functional densities of vegetation. This is particularly relevant along the southern shoreline of the City where bedrock and overconsolidated sediments are common.

It has been shown that detritus feeding organisms may not be adapted to the leaf fall patterns or the chemical characteristics of leaves from non-native trees suggesting that riparian areas are most effective when comprised of native vegetation (Karr and Schlosser 1977). In addition, native plant species have adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Thus maintaining native plant species in marine riparian areas can also have consequent benefits on maintaining water quality.

In a meta-analysis review of 73 peer-reviewed studies of vegetated buffer efficacy in protecting water quality, Zhang et al. (2010) reported that forested buffers were generally found to remove more nitrogen (a limiting nutrient in marine waters) as well as phosphorus than grassed buffers. For areas with slopes up to 10 percent, predicted sediment removal efficiencies for a 33-foot (10-meter) vegetated buffer ranged from 76 to 100 percent. Removal efficiencies for nitrogen were 71 to 85 percent, and for phosphorus were 69 to 98 percent. Steeper slopes had declining removal rates.

By maintaining bank stability and contributing large wood to the aquatic environment, riparian vegetation forms and maintains habitat complexity. Riparian vegetation and large wood improve beach stability and contribute to roughness and sediment trapping (Brennan and Culverwell 2004; Gonor et al. 1988; Herrera 2005). This includes improved capacity of beaches to retain sand, a crucial substrate for forage fish spawning (Pentilla 2007).

Herrera (2005) suggested that driftwood and tree fall at the top of the beach may also stabilize the upper beach area by slowing littoral drift and reducing wave-induced erosion). It has been suggested that estuarine wood can affect water flow and the subsequent formation of bars and mudbanks (Gonor et al. 1988). The contribution to habitat complexity along marine shorelines may be maximized if trees that fall to beaches remain in place (Herrera 2005).

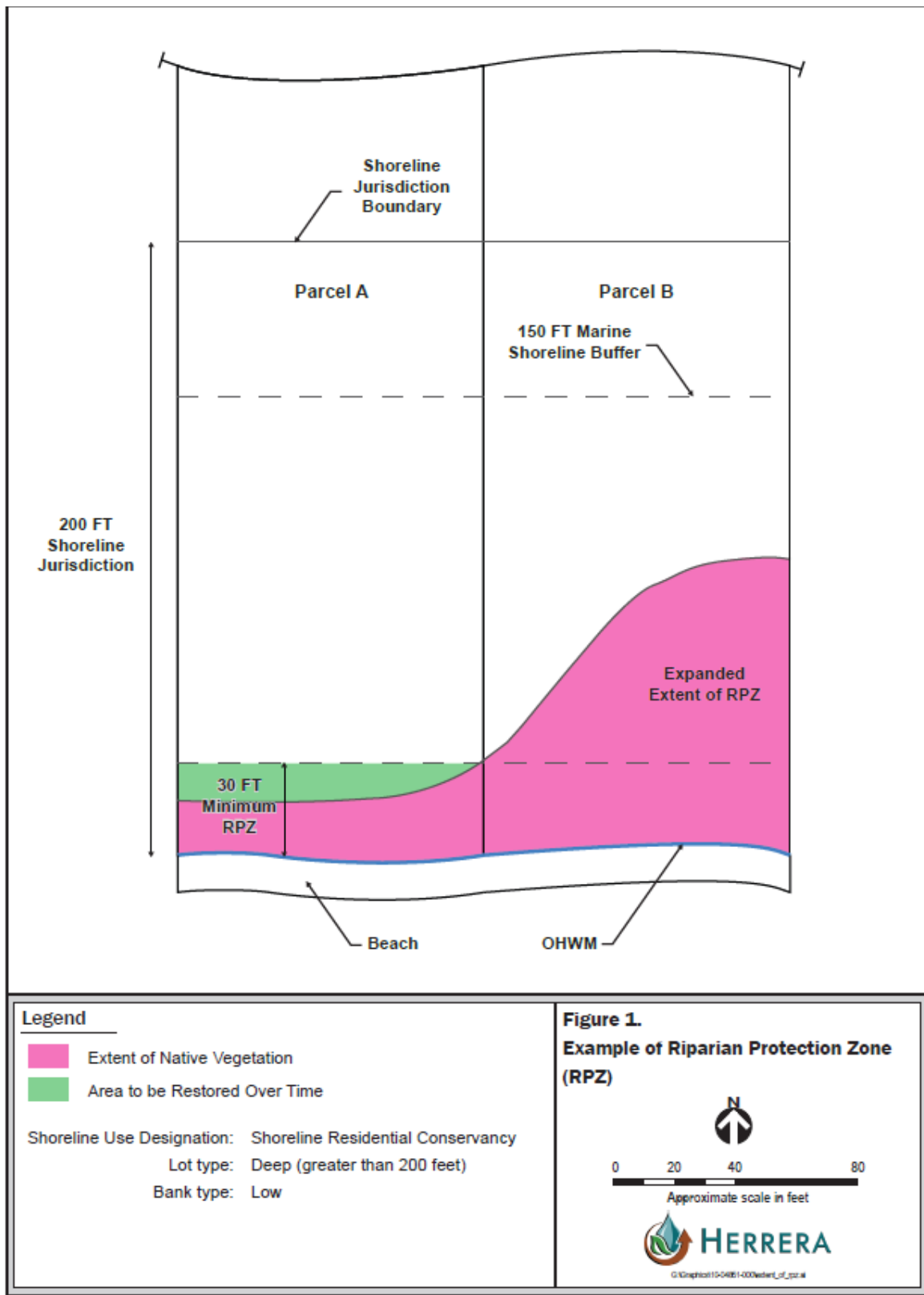
Marine Shoreline Buffer and Riparian Protection Zone Recommendations

City of Bainbridge Island shorelines are predominantly developed (over 82 percent [Battelle 2003]) which limits the City's ability to require wide buffers that are protected through regulation as conservation areas. Therefore, our recommendations have focused on protecting intact riparian habitat by limiting uses within this ecologically important zone, allowing for a less restrictive marine shoreline buffer landward of the riparian area that would protect the RPZ as well as provide some buffer functions; and by suggesting the City provide regulatory thresholds and landowner incentives to restore native riparian habitat whenever possible. In addition, the recommendations are informed by the City's desire to limit the number of non-conforming structures therefore, existing distances to residential structures from the shoreline are considered. These agreements and assumptions are described in *Agreed Principles* on page 8 and *Buffer Assumptions and Recommendation* on page 10.

We recommend that in areas with existing properly functioning riparian habitat, the RPZ would be a minimum of 30 feet but it could extend up to the full width of a standard marine shoreline

buffer if intact native riparian vegetation were present. This recommendation is based on the minimum area necessary to achieve a measure of riparian functions including protecting water quality, and providing shade, microclimate moderation, LWD, litterfall and insect food sources (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010). Any areas not comprised of intact native riparian vegetation would be limited by the provisions of a standard marine shoreline buffer for the shoreline use designation. In areas entirely lacking native riparian vegetation, the City would still establish a minimum 30-foot RPZ zone and, as parcels meet re-development thresholds, the City would require that native vegetation be established within the minimum 30-foot RPZ. In the Natural shoreline designations, the RPZ would be a minimum of 100 feet because of the heightened ecological values found in these areas and their absence of existing development.

Figure 1 illustrates two typical parcels (for this example, they are located within a Shoreline Residential Conservancy use designation) where intact native vegetation varies between 20 feet and 95 feet. For these parcels, the RPZ would range from 30 to 95 feet. In the area currently lacking native vegetation within the 30-foot minimum RPZ, landowners would be required through mitigation, or encouraged through incentives to restore native plant species as described above. In cases where riparian habitat is restored such as to provide mitigation for development impacts or in response to Shoreline Restoration Plan recommendations, such activities could potentially provide the City with no net loss of shoreline ecological functions and potentially a net gain.



Marine shoreline buffers are recommended to be specific to each shoreline use designation and to be as wide as possible to provide as much protection as is feasible with consideration of existing structure setbacks from the shore.

Agreed Principles

Following is a list of other generally agreed on principles:

1. The ability of a buffer to provide multiple functions and benefits is closely linked to its width, although other factors such as topography, slope, vegetation (type and condition), soil type, and buffer management also determine its effectiveness. In general, wider buffers are more protective of nearshore resources.
2. Buffers widths could be established on each reach or within a management area based on site-specific characteristics. The type and condition of riparian vegetation (coverage of native forest and shrubs) or upland topography (high bluff/low bank) will guide the buffer width as well as adjacency to important ecological features such as marshes, lagoons, and spit / barrier / backshores. Buffers on stable high bluffs could potentially be narrower than on low banks because the elevation difference is more protective of the nearshore. Other factors that could be considered include soil type, slope, degree of anthropogenic disturbance, and adjacent land uses.
3. Buffer widths can vary but should have a more protective inner zone such as the suggested RPZ that protects native riparian vegetation and could have a more permissive outer zone where decks, gardens, and some amount of impervious area is allowed potentially contingent on use of Low Impact Development stormwater management techniques.
4. The goal of the RPZ is to protect native vegetation to the extent possible, however limited water dependent uses would be allowed due to their intrinsic need to be in-water or at the water's edge.
5. Protection and restoration of the RPZ is also intended to provide habitat connectivity such that over time there would be long stretches of native riparian habitat along the City's shore. Therefore, where intact native vegetation is present wider buffers are recommended for some use designations.
6. The RPZ would allow for limited development, subject to a maximum of 300 square feet or 10 percent of the RPZ whichever is less, of structures per parcel related to water dependant uses such as boathouses, ramps, and stairways to the beach. In addition, one 4-foot wide trail would be allowed

for beach access. Structures or trails exceeding those thresholds would require a variance.

7. While there will be prescriptive standards, flexibility will be achieved by a marine shoreline buffer range that considers different development conditions and uses, and by allowing an option for a qualified professional to prepare a “critical areas stewardship plan” similar to Jefferson County’s SMP example.
8. Properties along the Aquatic Conservancy use designation would not be allowed to have reduced buffers.
9. Properties within a Natural Area use designation would be prohibited from any shoreline development in the RPZ except for one 4-foot wide trail for beach access.
10. When a project will result in impacts and require mitigation measures, the mitigation would include restoration of the native plant ecosystem. For example mitigation activities could include re-establishing native dune grasses, forests or other habitat communities, as natural conditions would warrant for the site.
11. Lots may be provided an exception to buffer standards (e.g., lots less than a certain depth where the combination of setbacks and typical building footprint would not allow for use of the property).
12. Buffer averaging allowing variable widths would provide flexibility and can be protective of nearshore functions and resources.
13. Existing developed properties with wider shoreline parcels would be allowed to have variable buffer widths (narrower in front of existing structures and wider when moving laterally from the building and perpendicular from the shoreline).
14. We note that critical saltwater environments are based on presence of primary species which means most if not all of the City shoreline areas need some level of nearshore habitat protection (based on WAC173-26).³

³ **From 173-26 WAC:** Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sandlance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association. Critical saltwater habitats require a higher level of protection due to the important ecological functions they provide. Ecological functions of marine shorelands can affect

Buffer Assumptions and Recommendations

To bracket the range of various buffer widths from the scientific literature, we considered the following:

- Existing development regulations
- Future land use
- The City's existing environmental buffers
- Existing shoreline character (physical & biological) and nearshore assets
- Recently adopted marine shoreline management plans from Puget Sound jurisdictions
- A review of the distance of existing residential structures from the OHWM (to consider the City's desire to limit the number of new non-conforming structures)

Table 1 shows the mean, median, and standard deviation of the distance between the ordinary high water mark (OHWM) and existing primary residential structures for each shoreline use designation as determined by a GIS analysis of 2009 aerial photographs of land cover on the City's shorelines (data provided by the City). These distances were used to identify typical existing conditions for each proposed use designation.

Table 1 also indicates the suggested RPZ and marine shoreline buffer widths for each proposed use designation that resulted from our review of scientific literature, the City's existing shoreline regulations, existing shoreline character, the distance of existing structures from the shoreline, nearshore assets, existing and future land uses, and discussions with City staff. A minimum and a maximum marine shoreline buffer is offered that would vary based on existing parcel conditions where shallow lots (lots less than 200 feet from the OHWM) or high bluff shoreline parcels would have narrower buffers and deeper lots (lots greater than 200 feet from the OHWM) or those with 65 percent coverage of native trees and shrubs within the RPZ, low banks, marshes, lagoons or spit / barrier / backshores would have wider buffer requirements. The table also distinguishes buffer requirements for developed lots versus undeveloped lots in the Shoreline Residential Conservancy use designation. Existing City regulations require a 115-foot buffer on estuarine wetlands. That requirement is recommended for developed lots in the Shoreline Residential Conservancy use designation in order to reduce the number of non-compliant structures, and it is expanded to 150 feet for undeveloped lots in order to advance shoreline protection when future development occurs.

Figure 2 illustrates an example configuration of the RPZ and marine shoreline buffer for a parcel with low bank waterfront, 65 percent canopy cover, and a Shoreline Residential use designation.

the viability of critical saltwater habitats. Therefore, effective protection and restoration of critical saltwater habitats should integrate management of shorelands as well as submerged areas.

The recommendations do not distinguish between water-oriented and non-water oriented uses. Allowances for water-oriented uses would be part of the formal code development process.

Table 1. Suggested Range of Riparian Protection Zones and Marine Shoreline Buffers by Use Designation.^a

Existing Distances from Shoreline to Primary Residential Structures (use designations are bold)	Riparian Protection Zone (RPZ) (inner buffer zone)	Minimum Standard Buffer (encompasses inner RPZ and outer marine shoreline buffer)	Maximum Standard Buffer (encompasses inner RPZ and outer marine shoreline buffer)
Urban Mean 59.8 feet Median 20.1 feet STD 72.1 feet	Minimum 30 feet from OHWM	Minimum 30 feet from OHWM ^b	30 feet from OHWM ^b
Shoreline Residential Mean 69.7 feet Median 60.2 feet STD 46.2 feet	Minimum 30 feet from OHWM up to standard buffer width	Condition: Shallow lots ^c or high bluff Standard Buffer: 50 feet from OHWM ^b	Condition: 65% coverage of native forest and shrub vegetation in RPZ ^d , and low bank, or marshes, or lagoons, or spit / barrier / backshores Developed - Standard Buffer: 75 feet from OHWM Undeveloped - 75 feet from OHWM unless adjacent to Aquatic Conservancy then 150 feet
Shoreline Residential Conservancy Mean 88.2 feet Median 86.3 feet STD 55.9 feet	Minimum 30 feet from OHWM up to standard buffer width	Condition: Shallow lots ^c or high bluff Standard Buffer: 75 feet from OHWM ^b	Condition: 65% coverage of native forest and shrub vegetation in RPZ ^d , and low bank, or marshes, or lagoons, or spit / barrier / backshores Standard Buffer: 115 feet from OHWM for developed lots 150 feet from OHWM for undeveloped lots
Island Conservancy Mean 144.9 feet Median 180.8 feet STD 62.9 feet	Minimum 50 feet from OHWM up to standard buffer width	Condition: Shallow lots ^c or high bluff Standard Buffer: 100 feet from OHWM ^b	Condition: Deeper lots ^c , low bank, marshes, lagoons, spit / barrier / backshores Standard Buffer: 150 feet from OHWM
Natural Mean 145.3 feet Median 169.7 feet STD 53.8 feet	Minimum 100 feet from OHWM up to standard buffer width	Condition: High bluff Standard Buffer: 200 feet from OHWM ^b	Condition: Low bank or feeder bluff, marshes, lagoons, spit / barrier / backshores Standard Buffer: 200 feet from OHWM ^b

^a The suggested minimum and maximum buffers are based on existing distances to residential structures from the shoreline in addition to science-based recommendations for shoreline and nearshore protection. The suggested ranges could be refined further based on additional GIS based analysis of City shoreline conditions.

- ^b Or 50 feet from edge of geologic hazard; whichever is greater.
- ^c Shallow lots measure 200 feet or less from the OHWM and deeper lots measure greater than 200 feet from the OHWM.
- ^d 65 percent coverage of native forest and shrub vegetation in the RPZ based on the 2009 aerial image or an approved clearing permit since 2009.

Figure 2. Example Configuration of RPZ in Relation to Marine Shoreline Buffer.

8.5x11

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**Current Marine Shoreline Buffer Requirements
and Allowed Buffer Uses in the City of
Bainbridge Island**

Current Marine Shoreline Buffer Requirements and Allowed Buffer Uses in the City of Bainbridge Island

16.20.130 Fish and wildlife habitat conservation areas:

C.1. Development standards for marine critical areas are defined in the city's shoreline master program, Chapter 16.12 BIMC and are summarized in SMP Table 4-2 below.

SMP Table 4-2. Use-related Development Standards Matrix from Chapter 16.12 BIMC.

Key (See Key in Table 4-1) of current SMP

Development Standards	Upland Environments				
	Natural	Conservancy	Rural	Semi-rural	Urban
Aquaculture					
Setback					
Water-dependent	N/A	0	0	0	0
Water-related	N/A	25	25	25	25
Nonwater-oriented	N/A	100	100	100	100
Upland	N/A	30	30	30	30
Boating Facilities					
Setbacks					
Accessory structures	N/A	50	N/A	50	25
Water-dependent	N/A	0	N/A	0	0
Dry moorage	N/A	N/A	100	100	100
Height Limits					
Dry Moorage	N/A	N/A	N/A	30	30
Buildings	N/A	N/A	20	20	20
Commercial					
Native vegetation zone (from OHWM)					
Water-dependent	N/A	N/A	N/A	0	0
Water-enjoyment	N/A	N/A	N/A	50	25
Nonwater-oriented	N/A	N/A	N/A	50	50
Buildings	N/A	N/A	N/A	30	30
Forest Practices					
Native vegetation zone:	N/A	N/A	100	100	100
Industrial Development					
Native vegetation zone (from OHWM)					
Water-dependent	N/A	N/A	N/A	N/A	0
Water-related	N/A	N/A	N/A	N/A	25
Recreational Development					
Native vegetation zone					
Nonwater-oriented, general	N/A	200	200	200	100

Development Standards	Upland Environments				
	Natural	Conservancy	Rural	Semi-rural	Urban
Campsites, picnic areas, and related	N/A	50	50	50	25
Access roads, restrooms, and accessory structures	N/A	75	75	75	50
Parking	N/A	100	100	100	50
Golf course, playfields, intensive use areas	N/A	100	100	100	100
Residential Development (dwellings)					
Native vegetation zone	N/A	100	50	50	25
Transportation					
Native vegetation zone					
Trails	0	0	0	0	0
Water-dependent	N/A	0	0	0	0
Utilities (primary)					
Native vegetation zone					
Distribution lines	N/A	N/A	N/A	50	25
Buildings	N/A	N/A	N/A	50	25
Height Limits:					
Buildings, storage tanks, accessory uses	N/A	N/A	50	20	20
Distribution poles	N/A	N/A	50	30	30

Herrera Environmental Consultants, Inc.

Memorandum

To Ryan Ericson, Associate Planner, and Libby Hudson, Division Manager
City of Bainbridge Island

From Amanda Azous, Herrera Environmental Consultants

Date August 31, 2011

Subject Clarification on Herrera August 11, 2011 Documentation of Marine Shoreline Buffer Recommendation Discussions Memo

This memo is to provide further explanation of the scientific basis for the recommendation to the City of Bainbridge Island (City) that a minimum 30-foot Riparian Protection Zone (RPZ) be instituted as part of a dual-zone management system (provided in Herrera's August 11, 2011, memo to the City: *Documentation of Marine Shoreline Buffer Recommendations*). It is important to note that the RPZ is intended to be a subset of a regulated buffer (which is wider than 30 feet for all use designations except for Urban). The RPZ has the specific purpose of protecting existing intact native vegetation that is directly adjacent to the marine environment. The RPZ also provides a regulatory framework for restoring native vegetation to this zone as future development and re-development occurs, particularly where this zone has been degraded. Restoring native vegetation to this zone would help the City achieving its goal of no net loss of shoreline ecological functions over time.

The RPZ is intended to be more restrictive of uses and development than the remainder of the regulated buffer required in each use designation. Any disturbances or allowed activities within this zone would include mitigation that restores native vegetation within and/or adjacent to the RPZ to the extent feasible. The goal of regulating vegetation characteristics in the RPZ is to strengthen the functions provided by native vegetation in the portion of the 200-foot shoreline jurisdiction where the most benefit would accrue, which is the area directly adjacent to marine waters.

Scientific Recommendations for Marine Riparian Buffers

Both Battelle (2003) and Herrera (2011) review and discuss science-based recommendations for buffer widths to protect various shoreline functions. In general, the reviews found that the wider the buffer, the more effective it will be for protecting the marine environment. Nevertheless, in developed environments it is not always possible to prescribe the largest buffer one might find recommended in the literature. Both literature reviews clearly establish that buffers have a key role in protecting aquatic habitat and resources and both suggest that necessary buffer widths vary considerably depending on the site-specific functions and characteristics. For example, in order to achieve at least 80 percent effectiveness at removing pollutants from stormwater runoff, the buffer required can vary from as little as 16 feet to as large as 1,969 feet depending on the slope, depth and type of soil, surface roughness, density of vegetation and the intensity of the land use. Table 1 provides a summary of a number of studies that examined buffer requirements

that were reviewed for both documents, as well as for the August 11, 2011, buffer recommendations memo. The table indicates that suggested buffers are dependent on the function being protected as well as site-specific characteristics but that in general, the wider buffers are, the more effective they are in providing a diversity of functions. In addition, studies Herrera reviewed suggest that a narrower buffer, fully vegetated with native trees and shrubs, may perform more effectively than a wider buffer comprised of non-native landscaping and/ or lawn.

Table 1. Riparian buffers functions and width recommendations in the literature.

Riparian Function	Range of Buffer Widths (feet) to Achieve ≥ 80% Effectiveness and Literature Cited	Minimum Buffer Width (Approximate) Based on FEMAT Curve to Achieve ≥ 80% Effectiveness ^a
Water quality	16 ft: Schooner and Williard (2003) for 98% removal of nitrate in a pine forest buffer 1969 ft: Desbonnet et al (1994, 1995) for 99% removal 33 ft: Zhang et al. (2010) for 85% removal of nitrogen with trees (71% with mixed grass and trees) 33 ft: Zhang et al. (2010) for 98% removal of phosphorus with trees (69% with mixed grass and trees)	82 ft: sediment 197 ft: TSS 197 ft: nitrogen 279 ft: phosphorus
Fine sediment control	82 ft: Desbonnet et al (1994/1995) for 80% removal 299 ft Pentec Environmental (2001) for 80% removal 33 ft: Zhang et al. (2010) for 91% removal of sediment on 5% slope with grass and trees; 86% removal on 10% slope with grass and trees	82 ft: (sediment) 197 ft: (TSS)
Shade/Microclimate	56 ft: Belt et al 1992 IN Eastern Canada Soil and Water Conservation Centre (2002) for 90% effectiveness 125 ft: Christensen (2000) for 80% temperature moderation	121 ft (0.6 SPTH*)
Large woody debris	33 ft: Christensen (2000) for 80-90% effectiveness 328 ft: Christensen (2000) for 80-90% effectiveness	131 ft (0.65 SPTH*)
Terrestrial carbon source to nearshore food webs	16 to 328 ft: Bavins et al (2000)	80 ft (0.4 SPTH)
Hydrology/slope stability	Consensus is that for steep slopes affecting critical areas such as feeder bluffs, a site specific analysis by a qualified professional is necessary to determine a specific buffer width.	Recommendations are based on protecting property and not critical areas. Buffers widths are provided for a range of slope conditions but do not consider underlying geology.

^a FEMAT data in this table are based on Site Potential Tree Height (SPTH) equal to 200 feet.

Scientific Basis for 30-foot Riparian Protection Zone

Based on the significant variability in buffer recommendations, we endeavored to develop a strategy for the City that would, over time, improve the ecological functions within the current residential development pattern found along most of the City's shoreline (over 82 percent developed [Battelle 2003]), while also allowing for some flexibility for landowners to make use of the shoreline. Therefore, we focused on maintaining and restoring intact riparian habitat located directly adjacent to marine waters by designating it an RPZ, limiting uses within this ecologically important zone, and providing mechanisms and strategies for increasing native vegetation within and adjacent to the RPZ over time.

This minimum RPZ width of 30 feet is based on the ability to achieve 70 percent or greater effectiveness at protecting water quality, and providing shade, microclimate moderation, large woody debris, litterfall and insect food sources (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010) (see Table 2). The remainder of the regulated buffer required for each shoreline designation augments the protection for ecological functions provided by the RPZ, and therefore provides added conservation strategies for protecting marine riparian functions and critical saltwater habitats. This dual-zone management system described in Herrera's August 11, 2011, memo and illustrated in Figures 1 and 2 within that memo, works together to increase the functions typically provided by a single standard marine shoreline buffer through conserving and, over time, adding native vegetation in the most critical zone of the buffer.

Table 2. Approximate effectiveness provided by 30-foot RPZ (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010).

Function	Percent Effectiveness within 30 Feet of OHWM	Comment
Water quality maintenance	71 - 98	Assumes trees or mixed grass and trees
Fine sediment control	86 - 91	Assumes trees or mixed grass and trees
Shade and microclimate moderation	100	Trees and other over-hanging vegetation must be present on the shore.
Large woody debris	80 -90	Trees must be present on the shore
Terrestrial carbon source to nearshore food webs	80	Trees and other over-hanging vegetation must be present on the shore.
Terrestrial wildlife habitat	Unknown	Highly dependent on species of wildlife to be protected
Hydrologic based slope stability	Unknown	Highly dependent on specific site conditions

OHWM = Ordinary High Water Mark

An RPZ containing native trees and shrubs would promote the recruitment of organic matter, nutrients, and macroinvertebrate prey items to the marine environment which are reduced or absent when riparian vegetation is not present on the shoreline (Brennan et al. 2004; Sobocinski 2003; Williams et al. 2001). Detritus feeding organisms are often not able to adapt to the leaf fall patterns or the chemical characteristics of leaves from non-native plants, which is one reason

why shoreline vegetation should be native species for maximum effectiveness (Karr and Schlosser 1977). Native plant species are adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Thus maintaining native plant species adjacent to the shoreline helps maintain water quality. Also, trees located close to the shore, form and maintain habitat complexity by stabilizing banks and contributing large wood to the aquatic environment.

Another important protection feature is that the RPZ would extend up to the full width of a standard marine shoreline buffer wherever intact native riparian vegetation were present but would be a minimum of 30 feet.

In areas entirely lacking native riparian vegetation, the City would still establish a minimum 30-foot RPZ and, as parcels met re-development thresholds, the City would require that native vegetation be established within the minimum 30-foot RPZ. In the Natural shoreline designation, the RPZ would be a minimum of 100 feet because of the heightened ecological values found in the areas within this shoreline designation and their absence of existing development.

In summary, the 30-foot RPZ is a subset of a dual-zone system, intended to preserve existing native trees and shrubs, and restore them when possible, to increase their presence adjacent to the shoreline and protect important shoreline functions. This strategy will provide opportunity to significantly improve over time shoreline functions over existing City conditions, where degradation exists or continues to occur. The implementation of the RPZ as a component of a regulated buffer will allow the City to effectively stem the loss of shoreline resources due to loss of native shoreline vegetation and, in conjunction with regulations addressing activities allowed in the remainder of the regulated buffer, assist the City with meeting its goal of no net loss of shoreline ecological functions.

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Appendix D

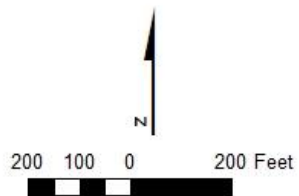
Single Family Residence Mitigation Manual

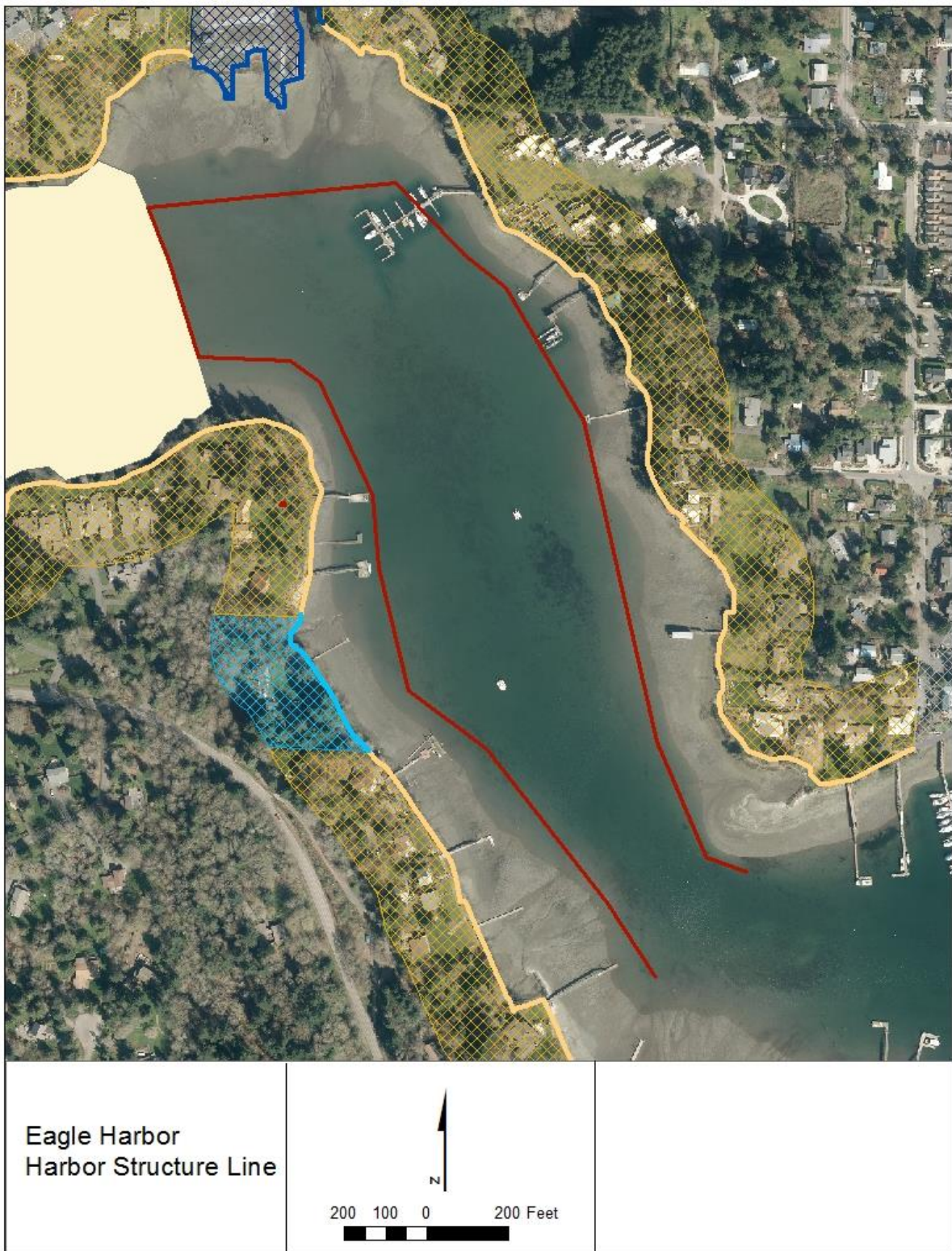
Appendix E

Special Area Maps



Port Madison
Harbor Structure Line







4.1.5 Critical Areas

4.1.5.1 Applicability

This section applies to all development, uses and activities within areas or adjacent to areas designated as critical areas. No action shall be taken by any person, company, agency, governmental body (including the city), or applicant, which results in any alteration of a critical area except as consistent with the goals, policies, purposes, intent, requirements, and development standards of this section.

4.1.5.2 Goal

Comprehensively manage shoreline uses and activities to protect, enhance, and restore existing ecological functions and ecosystem-wide processes of critical areas by utilizing the most current, accurate, and complete scientific and technical information. By avoiding and limiting adverse impacts to and alteration of critical areas, this section seeks to protect the Island's special character and accomplish the following goals:

1. To conserve the biodiversity of plant and animal species, protect, maintain and restore healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including, but not limited to, ground and surface waters, wetlands, fish and wildlife and their habitats;
2. Direct development, uses and activities to less environmentally sensitive sites and mitigate unavoidable impacts to critical areas by regulating alterations in and adjacent to critical areas;
3. Prevent cumulative adverse environmental impacts to water quality, water quantity, wetlands, and fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, aquifer recharge, and habitat conservation areas;
4. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, or flooding; and
5. Alert owners, potential purchasers, real estate agents, appraisers, lenders, builders, developers and other members of the public to natural conditions that pose a hazard or otherwise limit development.

4.1.5.3 Purpose and intent

1. The purpose of this section is to designate and classify ecologically sensitive and hazardous areas as critical areas and to protect, maintain and restore these areas and achieve no net loss of their functions and values and allow for reasonable use of public and private property.
2. This section is intended to implement the goals, policies, guidelines, and requirements of the city comprehensive plan and the Growth Management Act (Chapter 36.70A RCW).

3. Critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city and its residents. Critical areas may also pose a threat to human safety or to public and private property. The beneficial functions and values provided by critical areas include, but are not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation of flood waters, ground water recharge and discharge, erosion control, wave attenuation, and protection from hazards and the impacts of climate change. Groundwater recharge is of particular concern for the city because the Island's drinking water is supplied solely by groundwater.
4. This section is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this section to make a parcel of property unusable by denying its owner reasonable use of the property or to prevent the provision of public facilities and services necessary to support existing development.

4.1.5.4 Protection of Critical Areas

1. All proposed development, uses and activities subject to this section shall utilize mitigation sequencing pursuant to Section 4.1.2.6.
2. The precautionary principle shall be applied in the review of any action, taken or proposed, that does not conform to the requirements of this section. The burden of proof that the action will cause no net loss or harm to persons or property falls on the applicant or the property owner.

4.1.5.5 Policies

1. Provide a level of protection to critical areas that protects, maintains and restores these areas, achieves no net loss of their functions and values and allows for reasonable use of public and private property.
2. Encourage development proposals to include elements of preservation, conservation, restoration, or enhancement of critical areas, including saltwater habitat and fish and wildlife conservation areas, through incentives and ecosystem-wide restoration planning.
3. Locate and design shoreline uses, activities, and/or development to avoid risks to people and property. See also Section 3.0, Shoreline Designation Policies and Regulations, for additional provisions.
4. Promote and manage-water-related shoreline uses and activities, such as public access and recreation, that are compatible with critical areas, provided they do not result in a net loss of critical area functions and values.

4.1.5.6 Allowed Activities within Critical Areas

1. The following activities are allowed within critical areas and do not require review for compliance with critical area regulations. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8.0, Definitions, is subject to applicable review under this Program.

- a. Normal and routine yard and garden activities including, but not limited to, cutting and mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden plants and crops, incidental vegetable gardening, and pruning and planting of noninvasive ornamental vegetation, intended to maintain the general condition and extent of such areas; provided, that such activities are limited to legally existing yard and garden areas, do not further expand into critical areas or associated buffers, do not significantly alter topography, and do not diminish water quality or quantity. Normal and routine activities cannot result in a change to the location, size at the ground level or configuration of existing yard and garden areas.
 - b. Class I, II and III forest practices regulated pursuant to Chapter 76.09 RCW.
 - c. Minor site investigative work. Work necessary for land use review submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require a clearing permit pursuant to Section 4.1.3 or construction of new roads. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored. Minor site investigative work may include educational and scientific research activities.
 - d. Activities within the improved right-of-way. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, when such facilities are located within the improved portion of the public right-of-way or easement of a private street, except those activities that alter a wetland or watercourse, such as culverts or bridges, or result in the transport of sediment or increased stormwater.
 - e. The installation of low impact fencing within critical area buffers provided the location does not result in restricting wildlife movement, the location and installation is the least impactful to the critical area and buffer as possible, and there is no alternative to fencing to achieve the purpose of the fence.
 - f. Signs for marking critical area boundaries, interpretive signs and survey markers or property boundaries.
 - g. Development, uses or activities within critical aquifer recharge areas that do not have the potential to generate a pollutant identified as a potential source of drinking water contamination pursuant to Section 4.1.9 and are outside an Aquifer Recharge Protection Area (ARPA) if one has been designated pursuant to BIMC 16.20.100 and any other critical area or its buffer or setback.
2. The following activities are allowed within critical areas only after review and authorization by the city. Review and authorization may occur over-the-counter and will require a written letter of approval. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8.0, Definitions, is subject to applicable review under this Program.

- a. Activities within a portion of a wetland buffer or fish and wildlife habitat conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase. The director shall review the proposal to determine the likelihood of associated impacts and may require the applicant to provide a critical areas report prepared by a qualified professional that demonstrates through a site assessment or functional analysis that the interrupted buffer area is functionally isolated from the critical area. The director shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the physical separation.

4.1.5.7 Regulations – General

1. Any proposed development or activity within a critical area or its buffer or setback requiring review under this Program shall be reviewed based on the proposal's ability to comply with all of the following criteria:
 - a. The proposal minimizes the impact on critical areas in accordance with mitigation sequencing (SMP 4.1.2.6);
 - b. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
 - c. The proposal is consistent with the general purposes of this section and the public interest;
 - d. Any alterations permitted to the critical area are mitigated in accordance with mitigation requirements in SMP 4.1.2.6;
 - e. The proposal protects the critical area functions and values consistent with best available science and results in no net loss of critical area functions and values;
 - f. The proposal addresses cumulative impacts of the action; and
 - g. The proposal is consistent with other applicable regulations and standards.
2. The city may condition the proposed activity as necessary to mitigate impacts to critical areas and to conform to the standards required by this section.
3. Except as provided for by this section, any project that cannot adequately mitigate its impacts to critical areas in the sequencing order of preferences in SMP 4.1.2.6 shall be denied.
4. Support Information Requirements. Any application for proposed development or activity requiring review under this Program shall include the following:
 - a. A site plan drawn to scale identifying locations of critical areas and their buffers, location of proposed development, uses and activities, location and estimated quantity

of earthwork and vegetation clearing and location and type of drainage features or infrastructure.

- b. Any critical area report or study required by this section. Such reports or studies shall be prepared by qualified professionals in the area of concern as defined in Section 8.0, Definitions, and in accordance with the requirements provided in Section 4.1.5.15 (Critical Areas Reports) as follows:
 - i. Aquifer recharge study: Hydrogeologist;
 - ii. Geological hazard assessment: Engineering geologist; geotechnical engineer, provided that:
 - i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and
 - ii. Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.
 - a. Stream buffer enhancement plan: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;
 - b. Wetland buffer enhancement plan, wetland critical area report, wetland mitigation plan: Wetlands specialist.
 - c. Habitat Management Plans: Wildlife biologist and/or fisheries biologist.
 - d. The director is authorized to retain experts at the applicant's expense and request review from other jurisdictional agencies to assist in the review of application materials; and
- 3. Any additional information determined as relevant by the director.

5. Notice on Title

- a. The owner of any property with field-verified presence of critical area or buffer on which a development proposal is submitted shall file for record with the Kitsap County auditor a notice approved by the director in a form substantially as set forth in Subsection b of this Section. Such notice shall provide notice in the public record of the presence of a critical area and buffer, the application of this section to the property, and that limitations on actions in or affecting such areas may exist. The applicant shall submit proof that the notice has been filed for record before the city shall approve any development proposal for such site. The notice

shall run with the land and failure to provide such notice to any purchaser prior to transferring any interest in the property shall be in violation of this section.

b. Form of Notice.

Critical Areas
and/or
Critical Areas Buffer Notice

Legal Description: _____

Present owner: _____

NOTICE: This property contains critical areas or their buffers as defined by the City of Bainbridge Island Ordinance No. _____. The property _____ was the subject of a development proposal for _____

(type of permit) application # _____ filed on ____ (date) _____. Restrictions on use or alteration of the critical areas or their buffers may exist due to natural conditions of the property and resulting regulations. Review of such application has provided information on the location of critical areas or critical area buffers and restrictions on their use through setback areas. A copy of the plan showing such setback areas and other restrictions or required enhancements is attached hereto.

Signature of owner _____

STATE OF WASHINGTON)
COUNTY OF _____)

On this day personally appeared before me to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein stated.

Given under my hand and official seal this ____ day of _____, _____.
NOTARY PUBLIC in and for the state of Washington, residing at _____.

4.1.5.8 Regulations – Critical Saltwater Habitat

1. Water-dependent development and uses, including marinas, docks, piers, mooring areas, underwater parks, utility crossings, and shoreline modifications, shall not intrude into or be built over critical saltwater habitat unless:
 - a. The applicant can show that all of the following criteria can be met:
 - i. The use preferences of Section 4.1.1.3 shall be utilized for uses in Shorelines of State-wide Significance; and
 - ii. The need for such a structure is clearly demonstrated and an alternative alignment or location on the property that would avoid impacts to critical saltwater habitats is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose, as demonstrated through an alternatives analysis. The

- analysis should include in part, shoreline bathymetry, shoreline features at the site, and substrate composition;
- iii. It can be demonstrated that the project is consistent with the state's interest in resource protection and species recovery; and
 - iv. Impacts to critical saltwater habitat functions and processes are mitigated to result in equal or better ecological function; or
- b. The proposal is for private, non-commercial, residential docks for single use, community, or joint-use, which may be authorized, provided that:
 - i. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible; and
 - ii. The project, including any required mitigation, will result in no net loss of ecological functions and processes associated with critical saltwater habitat.
 - c. New or expanded overwater structures shall be located the greater or most protective of:
 - i. A horizontal distance of 25 feet from the outside edge of the structure to native aquatic vegetation attached to or rooted in substrate;
 - ii. A horizontal distance equal to the maximum distance shade will be cast by the structure and vessel;
 - iii. A 4-foot vertical distance from eelgrass or relevant submerged aquatic vegetation;
 - iv. A distance the diameter of the turning circle, if the structure is to be utilized for motorized vessels. The turning circle is defined as 3.5 times the length of the longest vessel to use the structure.
 - v. Alternative measures that demonstrate no net loss of ecological functions.
 - d. For projects within WDFW documented Pacific herring spawning locations, in-water activities that would affect herring spawn should be restricted to WDFW's approved work window for Bainbridge Island (May 1 through January 14). For aquaculture projects, the City may consider alternative methods that are contained in federal and/or state aquaculture permits for reducing impacts to herring spawning habitat and other forage fish spawning habitat.
 - e. For projects other than commercial aquaculture within WDFW documented sand lance and surf smelt spawning locations, no activities should occur during spawning windows as identified by WDFW. For commercial aquaculture projects within WDFW documented sand lance and surf smelt spawning locations, no harvesting may occur during the surf smelt or sand lance spawning seasons until a spawning survey is conducted. If surf smelt or sand lance spawn are present in the growing area to be harvested or adjacent tidelands, then no harvest activities may occur until the eggs are hatched. Extreme caution should be taken to avoid impact and minimize disturbance of sand lance and surf smelt larvae that are present.
2. Aquatic herbicide treatments, mechanical removal of vegetation or aquatic pesticide treatments shall not be used on critical saltwater habitats, except for approved habitat restoration or enhancement measures that meet the provisions of Section 4.1.6, Water Quality and Stormwater Management.

3. Sand, gravel or other materials shall not be added or removed from critical saltwater habitat, unless approved as part of a restoration effort or beach nourishment program or as allowed in 1, above.
4. New outfalls (including stormwater and sewer outfalls) and discharge pipes shall not be located in critical saltwater habitats or areas where outfall or discharge will adversely affect critical saltwater habitat, unless the applicant can show that all of the following can be met:
 - a. There is no feasible alternative location for the outfall or pipe; and
 - b. The outfall or pipe is placed below the surface of the beach or bed of the water body; and
 - c. The discharge point(s) on the outfall or discharge pipe is located so the discharges, including nutrients and flow, do not adversely affect critical saltwater habitats; and
 - d. For public sewage outfalls:
 - i. The outfall discharges waterward of the intertidal zone.
 - ii. The disturbed area will be revegetated with native vegetation.
5. The use of existing outfalls shall be maximized to limit the need for additional outfalls, provided the existing outfall meets the standards of this section, or unless an alternatives analysis demonstrates the dispersal is less impacting to the shoreline environment.
6. Until an inventory of critical saltwater habitat is completed, all over water and near-shore development shall conduct an inventory of site and adjacent beach sections to assess the presence of critical saltwater habitat and/or functions and processes. The inventory shall occur prior to construction and the methods and extent of the inventory shall be consistent with accepted research methodology. New studies shall be required only when existing information is out dated or does not exist.

4.1.5.9 Regulations -- Aquifer Recharge Areas

1. **Applicability.** Aquifer recharge areas are areas that have a critical recharging effect on groundwater used for potable water supplies and/or that demonstrate a high level of susceptibility or vulnerability to groundwater contamination from land use activities. In accordance with WAC 365-190-100, the entirety of Bainbridge Island is classified as an aquifer recharge area to preserve the volume of recharge available to the aquifer system and to protect groundwater from contamination.
2. **Prohibited Activities and Uses.** The following activities and uses are prohibited within critical aquifer recharge areas due to the probability or potential magnitude of their adverse effects on groundwater:
 - a. **Landfills.** Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;

- b. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
- c. Chemical wood preservation and/or treatment facilities;
- d. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store (other than minor sources such as medicinal uses or industrial testing devices), process, or dispose of radioactive substances;
- e. Hazardous liquid transmission pipelines;
- f. Commercial mining and chemical washing of metals, hard rock, sand, and gravel;
- g. Hydrocarbon extraction, reprocessing, refinement, and storage;
- h. Electroplating/metal finishing;
- i. Facilities that treat, store, process, or dispose of hazardous waste; and
- j. Other Prohibited Uses or Activities.
 - i. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and
 - ii. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a stream.

3. Development standards – general

- a. No development, use or activity may exceed water quality standards or otherwise violate the anti-degradation requirements specified in WAC Chapter 173-200.

4.1.5.10 Fish and Wildlife Habitat Conservation Areas

1. Fish and Wildlife Habitat Conservation Areas include:

- a. Streams. Within the city of Bainbridge Island, streams shall include those areas which meet the definitions in Section 8.0, Definitions. Streams shall be classified in accordance with the Washington Department of Natural Resources water typing system (WAC 222-16-030), which is hereby adopted in its entirety by reference and summarized as follows:
 - i. Type F: streams which contain fish habitat pursuant to Section 8.0, Definitions;
 - ii. Type Np: perennial non-fish habitat streams; and
 - iii. Type Ns: seasonal non-fish habitat streams.

- b. Habitats recognized by federal or state agencies for federal- and/or state-listed endangered, threatened, sensitive and candidate/monitored species which presence is documented in maps or databases available to City of Bainbridge Island.
- c. Areas that contain habitats and species of local importance. Any person may nominate for designation a species or habitat of local importance. Nominations will be processed pursuant to definitions in Section 8.0, Definitions, and nomination criteria developed by the director.
- d. Biodiversity areas and corridors as defined in the 2008 Washington Department of Fish and Wildlife Priority Habitat and Species List, or as amended.
- e. All areas within the city of Bainbridge Island meeting one or more of the preceding criteria in this Section, regardless of any formal identification or mapping, are hereby designated critical areas and are subject to the provisions of this section and shall be managed consistent with the best available science, such as the Washington Department of Fish and Wildlife's most recent Management Recommendations for Priority Habitat and Species.

2. Mapping

The location and extent of all mapped critical areas shown on the city of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. Washington Department of Natural Resource (DNR) and Washington Department of Fish and Wildlife maps are not the only source of data. Any request to change the city's existing map shall be accompanied by a report from a qualified professional that includes a description of the critical area and a summary of how it meets the definitions in Section 8.0, Definitions. The inventory and cited resources are to be used as a guide for the city, project applicants, and/or property owners and may be continuously updated as new or altered critical areas are identified.

3. Development Standards – Streams

- a. All designated streams require a buffer pursuant to Table 4-4. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of stream resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan. No uses or activities shall be allowed within the buffer unless allowed by this Section. If the buffer has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.15. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.

- b. The required minimum buffers listed in Table 4-4 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide stream protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-4. Stream Buffers

Stream Type	Buffer Width
F	200
Np	100
Ns (connected to F or Np)	75
Ns (not connected to F, Np)	50

- c. Buffer distances shall be measured from the ordinary high water mark (OHWM) or from the top of each bank where the OHWM cannot be identified.
- d. The buffer width shall be increased to include streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flow, or provide shelter and food for fish. In braided channels, the ordinary high water mark or top of bank shall be defined to include the entire stream feature.
- e. Streams in Ravines - Buffers. For streams in ravines outside the Mixed Use Town Center with ravine sides 10 feet or greater in height, the buffer width shall be the greater of:
- The buffer width required for the stream type; or
 - A buffer width which extends 25 feet beyond the top of the ravine.
- f. Increased buffer provisions. The director may increase buffer widths, up to 50 percent greater than the applicable buffer set in this section for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site-specific and project-related conditions.
- g. Structure or hard surface setback. A structure or hard surface setback line of fifteen feet is required from the edge of any stream buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the stream buffer or adversely impact the stream. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 4.1.5.7 (Notice on Title).

- h. **Buffer Modification.** Modification to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.
- i. **Buffer Width Averaging.** The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:
 - A. The total area of buffer after averaging is equal to the area required without averaging.
 - B. Averaging does not result in the any portion of the buffer being reduced more than 25 percent of its required width.
- ii. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer reduction shall include a buffer enhancement plan prepared by a qualified consultant that meets the requirements of Section 8.0, Definitions.
- iii. The city may request technical review of a buffer enhancement plan from other agencies to ensure consistency with state, federal or tribal management recommendations.
- iv. Any other buffer modification, other than non-compensatory enhancement, requires a shoreline variance.

9. Development Standards – Other Fish and Wildlife Habitat Conservation Areas

- a. All development, uses and activities within known fish and wildlife habitat conservation areas require submittal and approval of a Habitat Management Plan (HMP) as specified in Section 4.1.5.15, Critical area reports. The HMP shall consider measures to retain and protect the fish and wildlife habitat and shall consider the effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of existing native vegetation.
- b. In the case of bald eagles, the HMP shall comply with the federal Bald and Golden Eagle Protection Act (16 USC 668) to avoid impacting eagles and their habitat.

10. Standards for specific development, uses and activities. The following development, uses and activities may be allowed within fish and wildlife habitat conservation areas and their buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations. The director may require submittal of a Habitat Management Plan unless project impacts are demonstrated to be de minimis through mitigation sequencing pursuant to Section 4.1.2.6.

- a. **Stream Crossings.** Any private or public road or driveway expansion or construction proposed to cross streams classified within this section shall comply with the following

minimum development standards. All other state and local regulations regarding water crossing structures shall apply, and the use of the *Water Crossing Design Guidelines* (WDFW, 2013), or as amended, is encouraged.

- i. Bridges or bottomless culverts shall be required for all Type F streams. Other alternatives may be allowed upon (i) submittal of a Habitat Management Plan which demonstrates that other alternatives would not result in significant impacts to the fish and wildlife conservation area and (ii) as determined through the Hydraulic Project Approval (HPA) process administered by the Washington Department of Fish and Wildlife. The plan must demonstrate that fish habitat will not be reduced in area or function.
 - ii. Crossings shall not occur in fish-bearing streams unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with Washington Department of Fish and Wildlife;
 - iii. Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists;
 - iv. Crossings shall not diminish flood carrying capacity;
 - v. Crossings shall serve multiple properties whenever possible;
 - vi. Where there is no reasonable alternative to providing a conventional culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.
- b. Stream Relocations. Stream relocations may be allowed only for the purpose of flood protection and/or fisheries restoration and only when consistent with a Washington Department of Fish and Wildlife Hydraulic Project Approval (HPA) process and the following minimum performance standards:
- vii. The channel, bank, and buffer areas are replanted with native or equivalent vegetation that replicates a natural, undisturbed riparian condition;
 - viii. For those waters designated as Frequently Flooded Areas pursuant to BIMC 15.16, a professional engineer licensed in the State of Washington provides information demonstrating that the equivalent base flood storage volume and function will be maintained; and
 - ix. Relocated stream channels are designed to meet or exceed the functions and values of the stream to be relocated.
- c. Pesticides, Fertilizers and Herbicides. No pesticides, herbicides or fertilizers may be used in fish and wildlife conservation area or their buffers, except those approved by the U.S. Environmental Protection Agency (EPA) and approved under a Washington Department of Ecology Water Quality Modification Permit for use in fish and wildlife conservation area environments and applied by a licensed applicator in accordance with the safe application practices on the label.
- d. Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes Fish and Wildlife Habitat Conservation Areas shall comply with the

following procedures and development standards:

- i. The open water area of lakes, streams, and tidal lands shall not be permitted for use in calculating minimum lot area.
 - ii. Land division approvals shall be conditioned so that all required buffers are designated as an easement or covenant encumbering the buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan.
 - iii. In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this section, including buffer requirements for fish and wildlife habitat conservation areas. Each lot must also have access and a sewage disposal system location that are suitable for development that do not adversely impact the fish and wildlife conservation area.
 - iv. After preliminary approval and prior to final land division approval, the director may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when such methods are determined by the director to provide adequate protection to the aquatic buffer.
- e. Utilities. Placement of utilities within designated fish and wildlife conservation area may be allowed pursuant to the following standards:
- i. Construction of utilities may be permitted in fish and wildlife conservation area or their buffers, only when no practicable or reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below.
 - ii. Sewer or on-site Sewage Utility. Construction of sewer lines or on-site sewage systems may be permitted in fish and wildlife conservation area or their buffers when the applicant demonstrates it is necessary to meet state and/or local health code requirements; there are no other practicable alternatives available; and construction meets the requirement of this Section. Joint use of the sewer utility may be allowed.
 - iii. New utilities shall not be allowed in fish and wildlife conservation area with known locations of federal or state listed endangered, threatened or sensitive species, heron rookeries or nesting sites of raptors which are listed as state candidates except in those circumstances where an approved Habitat Management Plan indicates that the utility will not significantly impact the conservation area;
 - iv. New Utility Construction. Utility construction and maintenance shall protect the environment of fish and wildlife conservation area and their buffers.
 - A. New utilities shall be aligned whenever possible to avoid cutting or root damage to trees greater than 12 inches in diameter at breast height (four and one-half feet) measured on the uphill side.
 - B. Any area of disturbance shall be revegetated with appropriate native or equivalent vegetation at not less than pre-construction vegetation densities

or greater, immediately upon completion of construction or as soon thereafter as possible due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.

- C. Any additional access for maintenance shall be provided wherever possible at specific points rather than by parallel roads. If parallel roads are necessary, they shall be of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the conservation area.
- v. Utility maintenance shall include the following measures to protect the environment of regulated fish and wildlife habitat conservation areas.
 - A. Utility towers shall not be sandblasted or spray-painted. Lead-based paint is prohibited.
 - B. Pesticides, fertilizers and herbicides: No pesticides or fertilizers may be used in fish and wildlife habitat conservation areas or their buffers, except those applied by a licensed applicator in accordance with the safe application practices on the label.
- f. Bank Stabilization.
 - i. A stream channel and bank may be stabilized when naturally occurring earth movement threatens existing structures (defined as requiring a building permit pursuant to the applicable building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of fish and wildlife habitat, flood control, and improved water quality.
 - ii. Where bank stabilization is determined to be necessary, bioengineering or other non-structural methods should be the first option for protection. Structural methods, or hard stabilization, may only be utilized where it can be demonstrated by a professional engineer licensed in the State of Washington that an existing primary residential structure or essential public facility cannot be safely maintained without such measures, and that the resulting hard stabilization is the minimum length necessary to provide a stable building area for the structure. The director may require that bank stabilization be designed by a professional engineer licensed in the State of Washington with demonstrated expertise in hydraulic actions of shorelines. Bank stabilization projects may also require a City of Bainbridge Island clearing or grading permit and Hydraulic Project Approval from the Washington Department of Fish and Wildlife.
 - iii. Nonstructural streambank protective techniques are preferred to bulkheads or other types of streambank armoring. Nonstructural techniques include but are not limited to vegetation plantings and bioengineering.
- g. Fencing and Signs. Prior to approval or issuance of permits for land divisions or other new development, the director may require that the common boundary between a

required buffer and the adjacent lands be identified using fencing or permanent signs. In lieu of fencing or signs, alternative methods of buffer identification may be approved when such methods are determined by the director to provide adequate protection to the buffer.

- h. Forest Practice, Class IV General and Conversion Option Harvest Plans (COHPs). All timber harvesting and associated development activity, such as construction of roads, shall comply with the provisions of this chapter, and the Stormwater Management standards in Chapters 15.20 and 15.21 BIMC, including the maintenance of buffers, where required.
- i. Road/Street Repair and Construction. Any private or public road or street expansion or construction which may be allowed in a Fish and Wildlife Habitat Conservation Area or its buffer shall comply with the following minimum development standards:
 - i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;
 - ii. Expansion or construction of any private or public road shall only be allowed when adverse impacts can be avoided;
 - iii. Public and private roads should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and
 - iv. The road or street construction is the minimum necessary, as required by the Department of Public Works, and shall comply with the Department of Public Works' guidelines to provide public safety and mitigated stormwater impacts.
 - v. Construction time limits shall be determined in consultation with Washington Department of Fish and Wildlife in order to ensure habitat protection.

4.1.5.11 Regulations – Geologically Hazardous Areas

- 1. Applicability. This section applies to all geologically hazardous areas classified pursuant to SMP 4.1.5.11.2.
- 2. Classification.
 - a. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas (including fault and liquefaction hazard areas). Zone of influence areas are not considered geologically hazardous areas.
 - b. Geologically hazardous areas shall be classified based upon landslide history and the presence of unstable soils, steepness of slopes, erosion potential, and seismic hazards. Areas in this category are a potential threat to public health, safety, and welfare when construction is allowed. While some potential risk due to construction can be reduced through engineering design, construction in these areas should be avoided when the potential risk cannot be reduced to a level comparable to the risk if the site were initially stable prior to construction. Classification and rating shall be based upon the risk to the environment and to development in geologically hazardous areas.
- 3. Review procedures. Applications for proposed activities in geologically hazardous areas shall include:

- a. Indemnification. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas, except erosion hazard areas and landslide hazard area setbacks. The form of the agreement shall be approved by the city and executed prior to the commencement of construction or any land disturbing activity.
 - b. Notice. A notice of intent to construct on a landslide hazard area or reduce the standard setback in a landslide hazard area shall be given pursuant to BIMC 2.16.020.M. The notice of intent shall be issued within 14 days of a complete application pursuant to BIMC 2.16.020.J. The notice shall include a 21-day comment period and no permits or approval of reduced setbacks shall be issued before the end of the comment period.
 - c. Geological Hazards Assessment. A geological hazards assessment is required for all projects in geologically hazardous areas and landslide hazard area setbacks in accordance with Section 4.1.5.15, Critical area reports. To protect public health, safety and welfare, the director may require third party review of any geological hazards assessment or geotechnical report in cases where there may be potential for substantial damage to life, property or the environment should the proposed engineering solution fail. When a third-party review is required, costs incurred for a qualified third party geologist or geotechnical engineer to perform the review shall be borne by the applicant.
4. Regulations – Development Standards – General. The following development standards apply to all activities within any geologically hazardous area or associated landslide hazard area setback:
- a. The proposed activity shall not create a net increase in geological instability, either on- or off-site, which is defined as follows:
 - i. The subject parcel shall not be less stable after the planned development than before; and
 - ii. The adjacent parcels shall not have greater risk or be less stable after the planned development than before.
 - b. The proposed activity shall not increase the risk of life safety due to geological hazards above professionally acceptable levels.
 - c. The proposed activity shall not increase the risk due to geological hazards above professionally acceptable levels for:
 - i. Property loss of any habitable structures or their necessary supporting infrastructure on-site or;
 - ii. Risk to any off-site structures or property of any kind; and

- d. Proposed buildings shall be constructed using appropriate engineering methods that respond to the geologic characteristics specific to the site in order to achieve a high standard of safety and meet professional practice standards and codes.
 - e. The proposed activity shall not further degrade the values and functions of the associated critical areas.
 - f. Unless allowed pursuant to Section 4.1.2 or Section 4.1.3 or as part of an approved building permit, removal of vegetation from an erosion or landslide hazard area or setback is prohibited.
5. Development Standards -- Landslide Hazard Areas. The following requirements shall apply to any land disturbing activity or construction within a landslide hazard area or its setback as described herein:
- a. Prohibited activities. Development of habitable structures and critical facilities is prohibited in landslide hazard areas and landslide hazard area setbacks.
 - b. Allowed activities. The following minor development may be allowed in landslide hazard areas on slopes forty (40) percent or greater and landslide hazard area setbacks if the development standards of this Section are met:
 - i. Surface water management, including outfalls
 - ii. Septic facilities, including drainfields
 - iii. Trails and stairs
 - iv. Cable lifts and trams
 - v. Public or private utilities or streets
 - vi. Seismic or other safety upgrades to protect existing habitable structures
 - vii. Other non-habitable structures
 - c. Any land disturbing activity or construction within a landslide hazard area or its setback shall meet the following requirements:
 - i. All development proposals shall be designed to avoid impacts to geologically hazardous areas. The development shall be designed to minimize the footprint of building in other disturbed areas, minimize removal of vegetation, minimize topographic change, and retain open space to the maximum extent practicable;
 - ii. Development design shall utilize clustering, under-structure parking, multi-level construction, and tiered foundations to the extent feasible to minimize impervious lot coverage, slope disturbance, and changes to the natural topography;
 - iii. Access shall be in the least sensitive part of the site, and common access drives and utility corridors are required to the extent feasible;
 - iv. Roads, walkways and parking areas shall be designed to parallel the natural contours to the extent feasible;
 - v. Cut and fill slopes shall be prepared and maintained to control against erosion and instability; and

vi. Drainage and stormwater designs in zones of influence shall incorporate elements of low impact design, add examples to the extent feasible, and shall be designed in such a manner that stormwater outlet discharges do not create additional impacts.

- d. Factors of safety. Factors of safety in accordance with Table 4-5 are required. Analysis of dynamic conditions shall be based on the minimum horizontal acceleration for the probabilistic maximum considered earthquake as established by the currently adopted version of the International Building Code.

Table 4-5. Factors of safety and standard setbacks

Structure, use or activity	Static factor of safety	Dynamic (seismic) factor of safety	Standard setback
Habitable structure	1.5	1.0	Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope
High-risk non-habitable structure	1.3	As determined by geological hazards assessment.	Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope
Lower-risk non-habitable structures	As determined by geological hazards assessment.	As determined by geological hazards assessment.	Height of slope up to 75 feet.
Other structure or use	As determined by geological hazards assessment.	As determined by geological hazards assessment.	Height of slope up to 75 feet.
Tree and vegetation activities in accordance with Section 4.1.3	n/a	n/a	25 feet only from top of slope.

- e. Setback requirement. Setbacks from landslide hazard areas are required. A setback shall be established from all edges of a landslide hazard area as follows:
- A standard setback in accordance with Table 4-5; or
 - A setback established by the findings of a geological hazards assessment prepared by a licensed geologist or geotechnical engineer that protects and minimizes the risk of property damage, death or injury resulting from a potential landslide impact. The geological hazards assessment shall require a third-party independent review by a qualified geologist or geotechnical engineer at the cost to the applicant;

- iii. A setback less than 20 feet is prohibited for habitable structures;
 - iv. The setback for tree and vegetation activities in accordance with Section 4.1.3 is 25 feet only from the top of slope.
 - v. No setback is required for slopes forty (40) percent or greater with a vertical elevation change of up to twenty (20) feet, if compliance with development standards in Section 4.1.5.11.4 and 5 is documented by a geotechnical engineer licensed in the State of Washington;
 - vi. The setback may be increased beyond that specified in subsection (a) above if the director determines a larger setback is necessary to prevent risk of damage to proposed adjacent development and the associated critical areas.
- f. For the purposes of establishing the factors of safety and setback using Table 4-5, the following categories shall apply:
- i. Habitable structure: residences, accessory dwelling units, garages;
 - ii. High-risk non-habitable structure: decks, patios, pool/hot tub, driveways, trams, cable lifts, carports;
 - iii. Lower-risk habitable structure: storage shed, boathouse, stairs, pathways, structures intended for short-term use;
 - iv. Other structures or uses: septic facilities including drainfields, drainage outfalls, bulkheads, landscape walls, other utilities; and
 - v. If a proposed structure, use or activity is not included in Section 4.1.5.11.5.f, the category shall be determined by the City Engineer.
- g. Zone of influence. A zone of influence shall be established 300 feet upslope from slopes greater than 40 percent and 200 feet upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas to assess changes in land use and hydrology that may affect the stability of the geologically hazardous area.
- i. The applicant shall have the stormwater pollution prevention plan (erosion control plan) for the project reviewed by a geotechnical engineer to determine if there are any potentially adverse impacts to the landslide hazardous area. The report shall contain recommendations to avoid adverse impacts to the geologically hazardous area. Concentrated discharge of stormwater shall only be allowed where specifically recommended in the report and authorized by the City Engineer.
 - ii. If the geotechnical engineer or the City Engineer determines that there are potential adverse impacts, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer which analyzes the potential impacts to the geological hazard from the proposed development in the zone of influence and meets the standards of this section.
- h. Field marking requirements. Proposed clearing and work limit lines and landslide hazard setbacks shall be marked in the field for inspection and approval by the city prior to start of any land disturbing activity. Field marking shall remain in place until construction is completed and final inspection is completed by the city.

4.1.5.12 Regulations – Bluff Drainage

1. Surface drainage shall be directed away from landslide hazard areas. When no other solution is feasible, surface drainage piping may be located on the face of a steep slope when contained in a tight line (closed, non-leaking pipe) and in such a way that erosion will not be increase at the base of the bluff and provided that physical access along the shoreline is not degraded. Furthermore, conditions may be applied to mitigate the aesthetic impacts of the proposed drainage systems as viewed from public areas.

4.1.5.13 Regulations – Wetlands

1. Applicability. This section applies to:
 - a. All wetlands designated pursuant to Section 4.1.5.13.2.
 - b. All wetland buffers as shown in the tables in Section 4.1.5.13.8.
2. Identification and designation.
 - a. Identification of wetlands and delineation of their boundaries pursuant to this section shall be done in accordance with the federal wetland delineation manual and applicable regional supplements (as updated), as required by WAC 173-22-035. All areas within the city meeting the wetland designation criteria, regardless of any formal delineation, are hereby designated as wetlands and are subject to provisions of this section unless not included in the definition of wetland provided in Section 8.0, Definitions.
 - b. Wetland delineations shall be conducted by a qualified professional, in accordance with Section 4.1.5.7.4.
 - c. The wetland boundary shall be marked in the field and surveyed by a licensed surveyor. The surveyed wetlands shall be sized and mapped on a scaled site plan. The director may require the wetland delineation to be verified in the field by the Army Corps of Engineers or the Washington State Department of Ecology when there is uncertainty in the wetland boundary or there was unauthorized wetland disturbance. The requirement for a licensed surveyor to survey the wetland boundaries may be waived in limited circumstances, such as when there is no access to the wetland property or there is no proposed impact to the wetland and wetland buffer, with authorization from the director.
 - d. Wetland delineations shall be valid for five years from the date of the delineation.
 - e. A wetland delineation shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated wetland is on a different site than the proposed development, the location of the wetland boundary may be determined using best professional judgement.

3. Wetland Categories. Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington – 2014 Update (Ecology Publication No. 14-06-029, October 2014), as revised. The wetland categories determined by the rating are as follows:
- a. Category I wetlands are:
 - i. Relatively undisturbed estuarine wetlands larger than one acre;
 - ii. Wetlands that are, or may be in the future, identified by scientists of the Washington Natural Heritage Program/Department of Natural Resources as wetlands of high conservation value;
 - iii. Bogs;
 - iv. Mature forested wetlands larger than one acre;
 - v. Wetlands in coastal lagoons; and
 - vi. Wetlands that perform many functions well and score 23 points or more in the wetland rating. These wetlands are those that represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, or are relatively undisturbed and contain ecological attributes that are impossible to replace within one human lifetime.
 - b. Category II wetlands are:
 - i. Wetlands with a moderately high level of functions and score 20 to 22 points in the wetland rating.
 - ii. Estuarine wetlands smaller than one acre or disturbed estuarine wetlands larger than one acre.
 - c. Category III wetlands are:
 - i. Wetlands with a moderate level of functions and score between 16 to 19 points in the wetland rating.
 - d. Category IV wetlands are:
 - i. Wetlands with a low level of functions, scoring less than 16 points in the wetland rating.
 - e. Date of Wetland Rating. The wetland rating categories in this Section shall be applied to wetland studies including but not limited to delineations, on or after the date of adoption of the ordinance codified in this section. The wetland rating shall be valid for five years unless the state rating system changes or the wetland and/or the wetland buffer have been altered since the rating.
 - f. A wetland rating pursuant to Section 4.1.5.13.3 shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated

wetland is on a different site than the proposed development, the rating may be determined using best professional judgement.

- g. Illegal modifications. Wetland rating categories shall not change due to illegal modifications.

4. Mapping

The location and extent of all mapped critical areas shown on the City of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. In addition, the National Wetlands Inventory and Soil Maps produced by the U.S. Department of Agriculture, National Resources Conservation Service may be useful in helping to identify potential wetland areas. The inventory and cited resources are to be used as a guide for the city, project applicants, and property owners, and may be continuously updated as new or altered critical areas are identified.

5. Protection of Wetlands

- a. Any action taken pursuant to this section shall result in equivalent or greater functions and values of the wetlands and wetland buffers associated with the proposed action, as determined by the best available science. All actions and developments shall be designed and constructed in accordance with mitigation sequencing as described in Section 4.1.2.6 and WAC 197-11-768.
- b. Applicants must first demonstrate an inability to avoid or reduce impacts, before compensation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas.
- c. Permanent protection of critical areas that are part of an approved mitigation plan or buffer enhancement plan shall be achieved through a Notice to Title recorded at the Kitsap County Auditor's Office, or similar means of protection in perpetuity.

6. Prohibited activities

- a. The following development, uses and activities are prohibited in all wetlands:
 - i. Draining, excavation, placement of fill material and flooding not associated with an exempt or regulated use
 - ii. Forest Practices – Class IV General or Conversion Option Harvest Plan
 - iii. New or expanded agriculture
 - iv. On-site sewage facility
- b. The following development, uses and activities are prohibited in Category I and II wetlands:

- i. Fish hatchery
- ii. Golf course
- iii. Mineral extraction
- iv. Public facility
- v. Public communications tower
- vi. New public road/street
- vii. New private access road or driveway
- viii. Stormwater retention/detention facility
- ix. Primary utility

7. Standards for specific development, uses and activities. The following development, uses and activities may be allowed within wetlands and their required buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations.

- a. Road/street repair and construction: Any private or public road or street repair, maintenance, expansion or construction may be allowed within a wetland or its required buffer only when all of the following conditions are met:
 - i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;
 - ii. Publicly owned or maintained road or street crossings should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and
 - iii. The road or street repair and construction are the minimum necessary to provide safe roads and streets.
 - iv. Mitigation shall be performed in accordance with specific project mitigation plan requirements.
- b. Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes regulated wetlands shall comply with the procedures and standards listed below. When a parcel contains a wetland, city policy shall always be to primarily protect the functions and values of the wetland, while recognizing the value of the development rights provided to the property by its zoning.
 - i. Density Calculation
 - A. The actual density that will allowed to be built upon a parcel containing a wetland shall ultimately be determined during the site specific review of the parcel's planned development.
 - B. In determining the actual density of a parcel based on a specific site plan, the site plan shall locate all buildings outside of any wetland and its required buffers;
 - C. The number of development rights allowed for any residentially-zoned parcel shall be its size in square feet divided by the number of square feet per home that is required by its zoning;

- D. If the land can be subdivided such that all setbacks, buffers, and other zoning requirements can be observed, and no zoning variances are requested, the density from the wetland, except the area with permanent open water, can be transferred within the property;
 - E. To the extent that the number of allowable development rights cannot be used on-site, they may be sold, traded, or transferred by the property owner through the transfer of development rights program pursuant to Chapter 18.37 BIMC;
 - F. Property owners may voluntarily extinguish development rights that are provided by the underlying zoning, but the city shall not extinguish any of these rights outside the aforementioned transactions.
- ii. Land division approvals shall be conditioned to require that wetlands and wetland buffers be designated as an easement or covenant encumbering the wetland and wetland buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat or binding site plan, and title.
 - iii. In order to implement the goals and policies of this section, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.
- c. Surface Water Management. Surface water structures or discharges from stormwater facilities may be allowed within wetlands and their required buffers only when the applicant has an approved Site Assessment Review (SAR) pursuant to the requirements of BIMC 15.19 and 15.20 and the proposal meets criteria in Appendix I-D, Guidelines for Wetlands when Managing Stormwater, from Washington State Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in 2014.
 - d. Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, are allowed in wetlands or wetland buffers only when the following standards are met:
 - i. Trails and related facilities shall be placed on existing road grades, utility corridors, or any other previously disturbed areas if present at the site and consistent with trail planning objectives.
 - ii. Trails and related facilities shall be planned to minimize removal of trees, soil disturbance, and maintain existing hydrological characteristics, shrubs, snags, and important wildlife habitat.
 - iii. Viewing platforms and benches, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland. Viewing platforms shall be limited to one hundred (100) square feet in size, unless demonstrated through a wetland critical areas report and mitigation plan that a larger structure will not result in a net loss of wetland functions.

- iv. Trail planning shall utilize mitigation sequencing in Section 4.1.2.6 to first avoid siting trail and trail-related facilities within wetlands and their required buffers. Trails and trail-related facilities are allowed within wetlands or wetland buffers if there are no reasonable alternatives for meeting an applicant's trail planning objectives and it is demonstrated through a wetland critical areas report and mitigation plan that the proposal will not result in a net loss of wetland functions.
 - v. Trails shall be limited to non-motorized use. Trail width shall not exceed six feet unless there is a demonstrated need, subject to review and approval by the director. Trails shall be constructed with pervious materials unless otherwise approved by the director.
- e. Utilities. Installation of utilities within wetlands or their required buffers may be allowed when the following standards are met:
- i. Construction of new utilities outside the road right-of-way or an existing utility corridor may be permitted in wetlands or wetland buffers, only when no reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below, and as required in the filing and approval of applicable permits and special reports required by this section.
 - ii. Sewer or On-site Sewage Utility. Construction of sewer lines or on-site sewage systems may be permitted in wetland buffers only when:
 - A. The applicant demonstrates it is necessary to meet state and/or local health code minimum design standards (not requiring a variance for either horizontal setback or vertical separation); and/or
 - B. There are no other practicable or reasonable alternatives available and construction meets all other applicable requirements of this Section. Joint use of the sewer utility corridor by other utilities may be allowed.
 - iii. New utilities shall not be allowed when the wetland or buffer has known locations of federal or state listed endangered, threatened, monitored or sensitive species, heron rookeries or nesting sites of raptors which are listed as species of concern, except in those circumstances where an approved Habitat Management Plan indicates that the utility corridor will not significantly impact the wetland or wetland buffer;
 - iv. New utility construction and maintenance shall protect the wetland and buffer environment by utilizing the following methods:
 - A. New utilities shall be aligned to avoid tree removal to the greatest extent practicable.
 - B. Any area of disturbance resulting from installation of a utility shall be revegetated with appropriate native or equivalent vegetation at preconstruction densities or greater, immediately upon completion of construction, or as soon thereafter as possible, if due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.
 - C. Any access for maintenance shall be provided as much as possible at specific points, rather than by parallel roads. If parallel roads are necessary, they shall be

of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the wetland. Mitigation will be required for any additional access through restoration of vegetation in disturbed areas.

D. The director may require additional mitigation measures.

E. Utility maintenance shall include the following measures to protect the wetland and buffer environment:

1. Painting of utility equipment such as power towers shall not be sprayed or sandblasted. Lead-based paints are prohibited.
2. No pesticides, herbicides or fertilizers may be used in wetland areas or their buffers except those approved by the U.S. Environmental Protection Agency (EPA) and Washington Department of Ecology and applied by a licensed applicator in accordance with the safe application practices on the label.

f. Parks. Development of public park and recreation facilities may be allowed; provided, that no alteration of wetlands or wetland buffers is allowed except as allowed in Section 4.1.5.6 (Allowed Activities within Critical Areas) and Section 4.1.5.13.7 (Allowed Activities within Wetlands).

8. Wetland Buffers

- a. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of wetland resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.15. No uses or activities shall be allowed within the buffer unless allowed by this Section. If a buffer on a site subject to land use review or a building permit application has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.15. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.
- b. All regulated wetlands shall be surrounded by a buffer, based upon *Appendix 8-C, Section 8C.2.3 of Wetlands in Washington State – Volume 2: Guidance for Protecting and Managing Wetlands* (Ecology Publication #05-06-008), as amended. Standard buffer widths are shown in Tables 1 through 4. If a wetland meets more than one of the criteria listed in each table, the buffer needed to protect the wetland is the widest one.
- c. Standard buffer widths are based on impact of land use, which is categorized as follows:
 - i. High impact land use includes commercial development, industrial development, institutional development, residential (all residential zoning classifications other than R-0.4, R-1 and R-2) development, new agriculture (high-intensity such as dairies, nurseries, greenhouses, raising and harvesting crops requiring annual tilling, raising

- and maintaining animals), forestry activities, and high-intensity recreation such as golf courses and ballfields.
- ii. Moderate impact land use includes residential development (R.0-4, R-1 and R-2 residential zoning classifications), new agriculture (moderate-intensity such as orchard and hay fields), paved trails, and construction of temporary logging roads.
 - iii. Low impact land use includes low-intensity open space such as passive recreation, natural resources preservation, and unpaved trails.
- d. The required minimum buffers listed in Tables 4-6 through 4-9 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide wetland protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-6: Category I Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
Natural Heritage Wetlands	Low Moderate High	125 ft 190 ft 250 ft	No additional discharge of surface water. No septic systems within 300 ft. Restore degraded parts of the buffer
Bogs	Low Moderate High	125 ft 190 ft 250 ft	No additional surface discharges. Restore degraded parts of the buffer.
Forested	Low Moderate High	125 ft 190 ft 250 ft	If forested wetland scores high for habitat, maintain connectivity to other natural areas.
Estuarine	Low Moderate High	100 ft 150 ft 200 ft	N/A
Wetlands in Coastal Lagoon	Low Moderate High	100 ft 150 ft 200 ft	N/A
High level of function for habitat (score for habitat is 8-9 pts.)	Low Moderate High	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas. Restore degraded parts of the buffer.
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
High level of function for water quality improvement and low for habitat (score for water quality pts.;	Low Moderate High	50 ft 75 ft 100 ft	No additional discharges of untreated runoff.

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
habitat less than 5 pts.)			
Not meeting any of the above criteria.	Low Moderate High	50 ft 75 ft 100 ft	N/A

Table 4-7: Category II Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
High level of function for habitat (score for habitat is -9 pts.)	Low Moderate High	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas.
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
Estuarine	Low Moderate High	75 ft 110 ft 115 ft	N/A
Not meeting any of the above criteria	Low Moderate High	50 ft 75 ft 100 ft	N/A

Table 4-8: Category III Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
Not meeting above criterion	Low Moderate High	40 ft 60 ft 80 ft	N/A

Table 4-9: Category IV Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
All	Low Moderate High	25 ft 40 ft 50 ft	N/A

9. Buffer Measurement. All buffers shall be measured on a horizontal plane from the delineated wetland edge as marked in the field a qualified professional.
10. Fencing and Signs. This section applies to those wetlands and their buffers that are within 200 feet of regulated development activities.
 - a. Wetland buffers shall be temporarily fenced or otherwise suitably marked between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per city approval.
 - b. The director may require that permanent signs and/or fencing be placed on the common boundary between a wetland buffer and the adjacent land. Such signs will identify the wetland buffer. The director may approve an alternate method of wetland and buffer identification, if it provides adequate protection to the wetland and buffer.
11. Structure or hard surface setback. A structure or hard surface setback line of fifteen feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the wetland buffer or adversely impact the wetland. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 16.20.070 (Notice on Title).
12. Buffer Modification. Modifications to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.
 - a. Buffer Width Averaging. The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:
 - i. The total area of buffer after averaging is equal to the area required without averaging.
 - ii. Averaging cannot result in the any portion of the buffer being reduced more than 25 percent of its required width.
 - b. The required buffer widths for proposed land uses with high-intensity impacts to wetlands may be reduced to those required for moderate-intensity impacts under the

following conditions:

- i. For wetlands that score moderate or high for habitat (5 points or more for the habitat function), the width of the buffer may be reduced if both of the following criteria are met:
 - ii. A relatively undisturbed, vegetated corridor at least 100-feet wide is provided if the wetland contains any priority habitats as defined by the Washington Department of Fish and Wildlife. “Relatively undisturbed” and “vegetated corridor” are defined in the Western Washington Wetland Rating System. The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection, such as a Notice to Title.
 - iii. Measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 5, are applied.
 - iv. For wetlands that score less than 5 points for habitat, the buffer width may be reduced to that required for moderate land use impacts by applying measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 4-10.
- c. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer averaging or buffer reduction shall include a Buffer Enhancement Plan prepared by a qualified professional that meets the requirements of Section 4.1.5.15. Buffer enhancement plans shall be reviewed pursuant to the criteria in Section 4.1.5.7.
 - d. Any other buffer modification resulting in a reduced buffer area, other than non-compensatory enhancement, requires a shoreline variance.

Table 4-10: Examples of measures to minimize impacts to wetlands from different types of activities.

Examples of Disturbance	Examples of Measures to Minimize Impacts	Activities that Cause the Disturbance
Lights	• Direct lights away from wetland.	Parking lots, warehouses, manufacturing, residential
Noise	• Locate activity that generates noise away from wetland. • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source. • For activities that generate relatively continuous, potentially disruptive noise, such as heavy industry or manufacturing, establish an additional 10-foot heavily	Manufacturing, residential

	vegetated buffer strip immediately adjacent to the outer wetland buffer.	
Toxic runoff*	• Route all new runoff away from wetland. • Establish covenants limiting use of pesticides within 150 feet of wetland. • Apply integrated pest management.	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Stormwater runoff	• Retrofit stormwater detention and treatment for roads and existing adjacent development. • Prevent channelized flow from lawns that directly enters the buffer. • Use Low Impact Development techniques consistent with BIMC 15.20.	Parking lots, roads, manufacturing, residential areas, landscaping
Change in water regime	Infiltrate or treat, detain, and disperse new runoff into buffer.	Impermeable surfaces, lawns, tilling
Pets and human disturbance	• Plant buffer with dense, impenetrable native vegetation appropriate for region. • Install low impact fencing at buffer perimeter. • Place wetland and its buffer in separate open space tract or protect with conservation easement.	Residential areas
Dust	Utilize best management practices to control dust.	Tilled fields
* These examples are not necessarily adequate to meet the rules for minimizing toxic runoff if threatened or endangered species are present at the site.		

13. Wetland mitigation requirements

- a. Mitigation sequencing. All development, uses and activities proposed to impact wetlands shall be mitigated according to this Section and the mitigation sequencing steps outlined in Section 4.1.2.6. The applicant shall demonstrate to the satisfaction of the director that each step of mitigation sequencing has been adequately addressed prior to approval of impacts to wetlands.
- b. Compensatory mitigation shall be required for development, uses or activities that result in the loss of wetland acreage or in the reduction of wetland functions or values.

- c. Mitigation report. Where mitigation is required under the sequencing in subsection (1), a mitigation plan is a required component of a critical areas report meeting the requirements in Section 4.1.5.15, Critical area reports.
- d. Wetland replacement
 - i. The ratios shown in Table 4-11 shall be used to determine the required amount of wetland mitigation. The first number specifies the amount of wetland area to be restored, rehabilitated, created or enhanced, and the second number specifies the amount of wetland area lost. The director may decrease these ratios when there are findings of special studies coordinated with agencies with expertise which demonstrate that no net loss of wetland function or value is attained under the decreased ratio.
 - ii. Mitigation requirements may also be determined using the credit/debit tool described in Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report (Ecology Publication #10-06-011, March 2012), or as revised) consistent with Table 4-11.

Table 4-11: Replacement Ratios for Wetlands

Category and Type	Re-establishment or Creation	Rehabilitation	1:1 Re-establishment or Creation (R/C) and Enhancement (E)	Enhancement Only
I – Mature Forested	6:1	12:1	1:1 R/C and 10:1 E	24:1
I – Based on functions	4:1	8:1	1:1 R/C and 6:1 E	16:1
I – Bog or Natural Heritage Site	Not considered possible	6:1	Case by Case	Case by Case
II	3:1	6:1	1:1 R/C and 4:1 E	12:1
III	2:1	4:1	1:1 R/C and 2:1 E	8:1
IV	1.5:1	3:1	1:1 R/C and 2:1 E	6:1

- e. Approaches to compensatory mitigation.
 - i. Compensatory mitigation may occur at the site of the allowed impacts or at an off-site

location. Considerations for determining whether off-site mitigation is preferable include, but are not limited to one or more of the following:

- A. On-site conditions do not favor mitigation success due to soil conditions, hydrology or adverse impacts of adjacent land uses;
 - B. On-site conditions are isolated from other aquatic or riparian habitats;
 - C. An off-site location is beneficial to larger ecosystem or watershed functions;
 - D. An off-site location has greater likelihood of success or will provide greater functional benefits;
 - E. The proposal for an off-site location uses a watershed approach consistent with Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Ecology Publication #09-06-32, December 2009).
- ii. Off-site compensatory mitigation may include the use of a wetland mitigation bank or an in-lieu fee program, if such instruments are available within the city limits.
 - iii. Advanced mitigation. Compensatory mitigation in advance of proposed impacts may be allowed on a case-by-case basis for projects with pre-identified impacts consistent with Interagency Regulatory Guide: Advance Permittee-Responsible Mitigation (Ecology Publication #12-06-015, December 2012).

4.1.5.14 The Winslow Ravine – Special Rules in Mixed Use Town Center

A portion of the “Winslow Ravine” which contains a ravine, a Type F stream, and several wetlands, is located in the Mixed Use Town Center (MUTC) zoning designation. In order to accommodate more dense development within the MUTC, and recognizing the significant distance from the top of the ravine to the stream and its adjacent wetlands, in lieu of the buffer and setback rules provided for streams (Section 4.1.5.10) and wetlands (Section 4.1.5.13), an applicant may select the prescriptive option or the mitigated option with respect to the Winslow Ravine within the MUTC as described below:

Table 4-12. “Option A” - Prescriptive Standards

CATEGORIES	BUFFER WIDTH STANDARD	MINIMUM STRUCTURE AND HARD SURFACE SETBACK	OTHER DEVELOPMENT STANDARDS
Streams and wetlands associated with the Winslow Ravine within the MUTC	50 feet measured from the top of the Winslow Ravine	15 feet beyond the buffer	No development, uses or activities are allowed within the buffer. Refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall not be located in the buffer and shall be removed if present.

Table 4-13. “Option B” - Mitigated Standards. The applicant shall demonstrate by submittal of necessary studies and proposed mitigation, that measures can and will be taken to ensure that the functions and values provided by the buffers prescribed under “Option A” are retained or improved.

CATEGORIES	BUFFER WIDTH STANDARD	MINIMUM STRUCTURE AND HARD SURFACE SETBACK	OTHER DEVELOPMENT STANDARDS
Streams and wetlands associated with the Winslow Ravine within the MUTC	25 feet measured from the top of the Winslow Ravine	15 feet beyond the buffer	No development, uses or activities are allowed within the buffer other than for public access meeting the standards in Section 5.8. If the buffer has previously been disturbed, the disturbed buffer area shall be revegetated pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14. Refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall not be located in the buffer and shall be removed if present.

4.1.5.15 Critical area reports

A. Aquifer recharge areas hydrogeological site assessment.

1. The hydrogeological site assessment shall include:
 - a. A site map drawn to scale which indicates the location of known or geologically representative wells (abandoned and active), springs, and surface water features within 1,000 feet of the project property boundary;
 - b. A description of the site-specific hydrogeological characteristics. At a minimum this will include a description of the lithology, depth and static water level of known underlying aquifer(s) and depiction of groundwater flow direction and patterns on the site map;
 - c. A description of the proposed land use and activities specifically detailing water consumption; an inventory of all chemical use, storage, transportation, production (including process wastewater), and disposal; and any potential pollutant identified by the U.S. EPA as a potential source of drinking water contamination (Appendix A of

- the Washington State Critical Aquifer Recharge Area Guidance Document) or known to be deleterious to the environment or human health; and
- d. A general discussion of surface and groundwater quality and quantity in the area and the identification of the potential adverse quality and quantity impacts to groundwater and surface water features within 1,000 feet of the project.
2. In-depth Site Assessment Elements. The required elements of the in-depth site assessment for a given development or re-development will be based on the initial site assessment review by the city, the Kitsap Public Health District, affected Tribes, and affected public water purveyors.

One or more of the elements listed below may be required based upon the proposed project activity, complexity of underlying hydrogeological conditions, and the perceived potential to adversely impact groundwater or surface water quality or quantity. One or more of these elements may also be required if the applicant chooses to demonstrate that mitigation measures are not necessary to protect the quantity or quality of groundwater or surface water or that the project does not pose a risk of detriment to groundwater or surface water.

Additional in-depth site assessment elements may include:

- a. Lithologic characteristics and stratigraphic relationships of the affected aquifer(s) and overlying geologic units and soil types including thickness, horizontal and vertical extent, permeability, and infiltration rates of surface soils.
- b. Delineation of identified structural features such as faults, fractures, and fissures.
- c. Aquifer characteristics including determination of recharge and discharge areas, transmissivity, storage coefficient, hydraulic conductivity, porosity, and estimate of groundwater flow direction, velocity and patterns for the affected aquifer(s).
- d. Estimate of precipitation and evapotranspiration rates for the project area.
- e. Preparation of appropriate hydrogeological cross sections depicting underlying lithology and stratigraphy, aquifer(s), and potential or probable contaminant pathways to both surface and groundwater from a chemical release.
- f. Determination of background or existing groundwater quality underlying the project area and water quality of surface water bodies.
- g. Contaminant fate and transport including probable migration pathways and travel time of potential contaminant release(s) from the site through the unsaturated zone to the aquifer(s) and through the aquifer(s), and how the contaminant(s) may be attenuated within the unsaturated zone and the aquifer(s) with consideration to advection, dispersion, and diffusion of contaminants in the groundwater.
- h. Delineation of areas potentially affected by contaminant migration on the ground surface and/or through potentially affected aquifer(s).
- i. Determination of the degree of continuity between groundwater and nearby surface water including potential impacts to baseflow in streams from proposed groundwater withdrawals, and potential impacts to surface water quality from site runoff or contaminated groundwater discharge.
- j. Assessment of the potential for pumping-induced seawater intrusion.
- k. Nitrate Loading Assessment. For projects that have the potential to adversely impact groundwater quality by nitrate loading, the applicant shall test existing wells and/or

- required test wells for nitrate as nitrogen and calculate the current and projected future groundwater nitrate concentrations at full project build-out, at appropriate point(s) of compliance, as determined by project characteristics, and in a methodology approved by the city. If the calculated nitrate loading in the intended water supply equals or exceeds 5 milligrams per liter nitrate as nitrogen, the applicant shall develop a mitigation plan with the point(s) of compliance determined based on project characteristics.
1. Multiple-stage (or phased) development must consider impacts of the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.

B. Aquifer Recharge Mitigation Plan.

For proposals requiring aquifer recharge area impact mitigations, the applicant shall develop for approval by the city a mitigation plan for the proposed development. Affected public water purveyors (Group A & B), affected Tribes, and the Kitsap Public Health District will be notified and invited to comment on all mitigation plans. The city will consider all recommendations submitted by these entities when developing appropriate permit conditions.

The city may, based on performance criteria and monitoring results, require additional amendments to the plan. The city reserves the right to submit mitigation plans for a third-party review at the applicant's expense and to reject any proposed land use or activity that poses significant risk to groundwater or surface water quality or quantity that cannot be satisfactorily mitigated.

1. The mitigation plan shall contain the project's permit conditions and, as applicable:
 - a. A description of the mitigation measures to be taken, how they will be implemented, and performance criteria.
 - b. A groundwater and surface water monitoring program to measure potential impacts of the development to underlying aquifer(s) and surface water. The monitoring plan will describe monitoring, maintenance, and reporting requirements.
 - c. A contingency plan describing spill response and corrective actions to be taken if a release of a pollutant occurs or monitoring results indicate that mitigation measures are not effectively protecting groundwater and surface water resources and human health. The city shall have the authority to impose additional required corrective actions where such measures are necessary to protect groundwater and surface water resources or human health. Where appropriate contingencies are not feasible and result in an activity posing unacceptable risk to groundwater or surface water resources or human health, the city shall deny the proposal.
 - d. Multiple-stage (or phased) development must consider mitigation for each phase of development as well as the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.
 - e. Conditions that would arise that warrant ceasing the project operation altogether.
 - f. Wellhead Protection Mitigation. Where a wellhead protection plan addressing the project area exists, the city shall use the recommendations contained in the wellhead

protection plan as a basis for formulating required mitigation measures. In the absence of such a mitigation plan, the city shall contact the owner of the public water system (Group A and B) impacted by the proposed project and jointly develop mitigation measures, a summary of which shall be signed by the applicant and recorded with the applicant's property title.

g. Nitrate Loading Mitigation.

- i. General Requirements. If a calculated nitrate loading concentration for a project at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall be required to place a notification on the documents of title for the property affected. A monitoring plan shall be developed to monitor the nitrate level and include a contingency plan to be implemented if the nitrate level exceeds 10 milligrams per liter nitrate as nitrogen.
- ii. Land Divisions. If the calculated nitrate loading concentration for a land division at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall:
 - (A) Develop a mitigation plan to minimize the nitrate loading rate; and
 - (B) Develop a contingency plan to be implemented if the nitrate concentration exceeds 10 milligrams per liter nitrate as nitrogen; and
 - (C) Submit the contingency plan with the final plat application. The contingency plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the contingency plan shall be listed on the face of the plat.
- ii. Mitigation of nitrate in groundwater from on-site septic systems may include decreasing the density of septic system drainfields.

2. Recording of Mitigation Plan Summaries.

- a. General Requirements. The city may require that the applicant record a city-approved summary of the mitigation plan on the property title. A copy of the recorded summary shall be provided to the city in hard copy and electronic format. If a property owner can demonstrate, to the satisfaction of the city, that mitigation measures are no longer necessary, the city shall approve the addition of language on the title for the property nullifying the mitigation requirements.
 - b. Land Divisions. The mitigation plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the mitigation plan shall be listed on the face of the plat.
3. Performance Surety. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the Aquifer Recharge Mitigation Plan pursuant to Section 4.1.5.14.

C. Habitat management plan.

1. A habitat management plan (HMP) is a detailed report that outlines and documents the location of fish and wildlife conservation areas, any planned incursions or habitat impacts and a strategy for limiting impacts.
2. HMP review. All HMPs shall be submitted to the Washington State Department of Fish and Wildlife habitat biologist and to the Suquamish Tribe for review and comment within 14 days of a complete application pursuant to BIMC 2.16.030. If the HMP recommends mitigation involving federally listed threatened or endangered species, migratory waterfowl or wetlands, the U.S. Fish and Wildlife Service shall receive a copy of the draft HMP. Within that same time frame, the city's Environmental Technical Advisory Committee shall be asked to review the HMP and provide comments.
3. Map. The HMP shall contain a map prepared at an easily readable scale, showing:
 - a. The location of the proposed development site;
 - b. Property boundaries;
 - c. The relationship of the site to surrounding topographic and aquatic features and any connectivity to other wildlife habitat and corridors;
 - d. Proposed building locations;
 - e. A legend which includes acreage of the parcel, scale, north arrow, and date of map revision.
4. Report. The HMP shall contain a report that includes:
 - a. A description of the nature and intensity of the proposed development
 - b. Identification of existing habitat functions and values;
 - c. An analysis of the effect of the proposed development, activity or land use change upon the wildlife species and habitat features and processes identified for protection;
 - d. Any review comments received from a habitat biologist from the Washington State Department of Fish and Wildlife, and the Suquamish Tribe and U.S. Fish and Wildlife Service;
 - e. Demonstration of consistency with current Washington State Department of Fish and Wildlife Habitat Management Recommendations for the applicable habitat or species. If the recommendations are not followed, the HMP report should identify the best available science guidance that is being followed or applied;
 - f. A description of proposed seasonal activity restrictions in accordance with the Washington State Department of Fish and Wildlife Habitat Management Recommendations;
 - g. An analysis of the feasibility to maintain wildlife corridors and connectivity, if applicable;
 - h. A plan identifying proposed measures to mitigate any adverse impacts to wildlife habitats created by the proposed development. Proposed mitigation measures shall be specific to the affected habitat or species; and
 - i. A schedule for periodic monitoring, and a contingency plan with corrective actions if conservation or mitigation actions do not lead to the desired outcome.

5. HMP adequacy. If there is a disagreement between the director and the applicant as to the adequacy of the HMP, the issue of plan adequacy shall be resolved by consulting with the Washington Department of Fish and Wildlife. If the Washington Department of Fish and Wildlife is not available to review the HMP in a timely manner, the applicant may choose to have the city refer the HMP to a third party consultant at the expense of the applicant. After consultation with such State departments or third party consultant, the director shall make a final decision on the adequacy of the HMP.
6. Timing. An HMP must be developed and approved prior to issuance of a building permit or underlying land use application and must be implemented before the city grants a certificate of occupancy, as applicable.
7. Performance Surety. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the habitat management plan pursuant to Section 4.1.2.7.

D. Buffer Enhancement Plan

1. As part of a buffer modification request, the applicant shall submit a buffer enhancement plan that assesses the functions and values of the buffer and the effects of the proposed modification on those functions and values.
2. The buffer enhancement plan shall clearly demonstrate that equal or greater protection of the functions and values of critical areas and their buffers can be achieved through the buffer modification than could be achieved through providing the required buffer using an appropriate function assessment methodology.
3. The buffer enhancement plan shall identify how the applicant proposes to mitigate any adverse impacts to the critical area or buffer created by the proposed development.
4. The buffer enhancement plan shall be prepared in accordance with the applicable requirements of Section 4.1.5.14, Critical areas reports.

E. Geological Hazards Assessment

1. A geological hazards assessment shall contain the following site- and proposal-related information at a minimum:
 - a. Site and Construction Plans. The report shall include a copy of the site plans for the proposal showing:
 - i. The type and extent of geologic hazard areas, any other critical areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/ geologist;

- ii. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;
 - iii. The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and
 - iv. Clearing limits.
 - b. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:
 - i. A description of the surface and subsurface geology, including complexes, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;
 - ii. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
 - iii. A description of the vulnerability of the site to seismic and other geologic events.
 - c. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
 - d. Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis. Where the recommended buffers are less than the standard setbacks set forth in Section 4.1.5.10, the rationale and basis for the reduced buffer shall be clearly articulated and demonstrate that the protection standard set forth in that section has been met.
 - e. A review of, and recommendations relating to, the low impact development (LID) infeasibility criteria in the 2014 Stormwater Management Manual for Western Washington, as amended, demonstrating reasonable consideration of all applicable LID practices.
2. Landslide Hazard and Erosion Hazard Areas. In addition to the basic geologic hazards assessment, an assessment for an erosion hazard or landslide hazard area shall include the following information at a minimum:
- a. Erosion Control. An erosion control plan prepared by a civil engineer shall be submitted to the city prior to the issuance of a building permit.

- b. The applicant shall provide a geotechnical analysis containing the following information:
 - i. Site Plan. The critical area report shall include a copy of the site plan for the proposal showing:
 - A. The height of slope, slope gradient, and cross-section of the project area;
 - B. The location of springs, seeps, or other surface expressions of ground water on or a zone or distance of potential significant influence as determined by a professional engineer/ geologist; and
 - C. The location and description of surface water run-off features.
 - c. Hazards Analysis. The hazards analysis component of the critical areas report shall specifically include:
 - i. A description of the extent and type of vegetative cover;
 - ii. A description of subsurface conditions based on data from site-specific explorations;
 - iii. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;
 - iv. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;
 - v. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;
 - vi. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties;
 - vii. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;
 - viii. Recommendations for building siting limitations; and
 - ix. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion; and
 - x. A description of the potential modes of failure.
3. Geotechnical Engineering Report. The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:
- a. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;
 - b. Recommendations for drainage and subdrainage improvements;
 - c. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and
 - d. Mitigation of adverse site conditions including slope stabilization measures for seismically unstable soils, surface water management, location and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability if appropriate.

4. Seismic Hazards Areas. In addition basic geologic hazards assessment, an assessment for a seismic hazard area shall also meet the following requirements:
 - a. Fault Hazard. The applicant shall provide a geologic/geotechnical analysis containing information specified by the City Engineer that documents the presence or absence of any surface deformation on the site in areas mapped by the city. If deformation is located, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer, which concludes that the development proposal as mitigated meets the standards of this section.
 - b. Liquefaction Hazard. The applicant shall provide a geotechnical analysis containing information specified by the City Engineer that meets the standards of this section (as mitigated).
 - c. Seismic Landslide Hazard. The applicant shall provide the same analysis and plan as required for landslide hazard areas.
5. Tsunami Hazards. The city shall provide applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level with information on tsunami hazards.

F. Wetland critical areas report.

A wetland critical areas report shall include, but not necessarily be limited to, the following:

1. A site plan showing the following:

- a. Surveyed wetland boundaries based upon a delineation by a wetland specialist or wetland boundaries recorded using a differential global positioning system, based upon a delineation by a wetland specialist.
- b. Location of required buffers pursuant to Section 4.1.5.11 or as proposed through buffer modification.
- c. Site boundary property lines and roads;
- d. Internal property lines, rights-of-way and easements;
- e. Existing physical conditions of the site, including buildings, fences and other structures, existing hard surfaces, utilities, etc.
- f. Contours at the smallest readily available intervals;
- g. Hydrologic mapping showing patterns of surface water movement and known subsurface water movement into, through, and out of the site;
- h. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets; and
- i. An aerial photograph with overlays displaying the site boundaries and wetland delineation.

2. A report including the following:

- a. Vicinity map

- b. Location information (parcel number and address)
- c. General site conditions including topography, size and surface area of all wetlands identified and water bodies within one-quarter mile of the site
- d. Analysis of functional values of existing wetlands
- e. Summary of proposed development, use or activities and potential impacts to wetlands
- f. Copies of rating forms and maps from the Wetland Rating System for Western Washington – Revised (2014) or as amended.
- g. Required buffers pursuant to Section 4.1.5.11.
- h. Complete U.S. Army Corps of Engineers wetland determination data forms
- i. National Wetland Inventory map
- j. Wetland mitigation plan, if compensatory mitigation is required.

G. Wetland mitigation plan.

1. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication #06-06-011b, March 2006), as revised, and, if applicable, Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington)(Ecology Publication 09-06-032, December 2009) and meet the following standards:
 - a. All critical area restoration, creation and/or enhancement projects required pursuant to this section either as a permit condition or as a result of an enforcement action shall follow a mitigation plan prepared by an expert approved by the director. The applicant or violator shall receive written approval of the mitigation plan by the director prior to commencement. Compensatory mitigation is not required for allowed activities which utilize best management practices to protect the functions and values of regulated critical areas.
 - b. Purpose of Mitigation Plan. The mitigation plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area. The mitigation plan shall recreate as nearly as possible the original critical area in terms of its acreage, function, geographic location and setting.
 - c. Mitigation Plan Submittal Requirements. A complete mitigation plan shall consist of plot plans, a written report, and performance bonds, as required below. The plot plans and written report shall be prepared by qualified professionals approved by the director.
2. Plot Plan Requirements. The following information shall be submitted on one or more plot plans (as determined by the director):
 - a. A legal description and a survey (boundary and topography) prepared by a licensed surveyor of the proposed development site, compensation site, and location of existing critical area(s) on each. This shall include wetland delineation and existing wetland acreage.
 - b. Scaled plot plan(s) indicating:
 - i. Proposed construction;
 - A. Zoning setback and critical area buffer requirements;

- B. Construction phasing and sequence of construction;
 - C. Site cross-sections, percent slope, existing and finished grade elevations;
 - D. Soil and substrate conditions;
 - E. Grading and excavation plan, including erosion and sediment control plans needed for construction and long-term survival; substrate stockpiling locations and techniques, and source controls needed for critical area construction and maintenance;
 - F. Landscape plans indicating species, types, quantities, locations, size, spacing or density of planting; planting season or timing; planting instructions, watering schedule and nutrient requirements; source of plant materials or seeds; and, where appropriate, measures to protect plants from destruction or predation; and
 - G. Water control structures and water-level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc.
3. Written Report Requirements. A written report shall accompany the plot plan(s) and shall provide the additional information required below. In addition, the report should be used as needed to clarify or explain elements of the plot plan(s).
- a. Baseline Information.
 - i. Wetland delineation and existing wetland acreage;
 - ii. Vegetative, faunal and hydrologic characteristics;
 - iii. Soil and substrate conditions;
 - iv. Relationship within watershed and to existing streams, wetlands, ponds, or saltwater;
 - v. Existing and proposed adjacent site conditions; and
 - vi. Existing and proposed ownership.
 - b. Environmental Goals and Objectives. The report shall contain a description of the environmental goals and objectives to be met by the compensation plan. The goals and objectives shall be related to the functions and values of the original critical area or, if out-of-kind wetland mitigation, the type of wetland to be emulated. This analysis shall include, but is not limited to the following:
 - c. Site selection criteria;
 - i. Identification of compensation goals;
 - ii. Identification of functions and values;
 - iii. Dates for beginning and completion of the project and compensation plan;
 - iv. A complete description of the relationship between and among structures and functions sought;
 - v. Review of available literature and/or known like-projects to date in restoring or creating the type of critical area proposed;
 - vi. Likelihood of success of the proposed compensation project at duplicating the original critical area. This shall be based on experiences of comparable projects identified in the literature review or existing projects, if any; and
 - vii. Likelihood of the ability of the created or restored critical area to provide the functions and values of the original critical area. This shall be based on such factors as surface water and groundwater supply and flow patterns; dynamics

- of the ecosystem; sediment or pollutant influx and/or erosion, periodic flooding and drought, etc.; presence of invasive flora or fauna; potential human or animal disturbance; and previous comparable projects, if any.
- d. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the project are met and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance, and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.
 - e. Detailed Specifications. Written specifications and descriptions of compensation techniques shall be provided. These shall include, but not be limited to, items in Subsection C.2 of this Section.
 - f. Monitoring Program. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to:
 - i. Establishing vegetation plots to track changes in plant species composition and density over time;
 - ii. Using photo stations to evaluate vegetation community response;
 - iii. Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);
 - iv. Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate;
 - v. Measuring sedimentation rates, if applicable; and
 - vi. Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.
 - vii. A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. A monitoring report shall be submitted annually, at a minimum, documenting milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than seven years.
 - viii. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.
 - A. Performance and Maintenance Surety and Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects. In addition, a surety ensuring fulfillment of the compensation project, monitoring program, and any contingency measure shall be posted pursuant to Section 4.1.2.7.

4. City Consultation. The city may consult with and solicit comments from any federal, state, regional, or local agency, including tribes, having any special expertise with respect to any environmental impact prior to approving a mitigation proposal which includes critical areas compensation. The compensation project proponents should provide sufficient information on plan design and implementation in order for such agencies to comment on the overall adequacy of the mitigation proposal.
5. Permit Conditions. Any compensation project prepared pursuant to this section and approved by the director shall become part of the application for the permit.

4.2 General Use

4.2.1 Nonconforming Structures, Uses, and Lots

4.2.1.1 Applicability

This section applies to shoreline uses and/or structures that were lawfully established or constructed prior to the effective date of the initial adoption of the Master Program (November 26, 1996) or amendments thereto, and which do not conform to current regulations or standards of this Program. This section does not apply to shoreline modification or shoreline stabilization.

Nonconforming uses, lots and structures are not required to meet this Program's requirements, unless new development or changes to a use, lot or structure that would require review under this Program are proposed.

4.2.1.2 Definitions

1. **Nonconforming Use.** A nonconforming use means an existing shoreline use that was lawfully established prior to the effective date of this Program (November 26, 1996), as amended, but which does not conform to present use regulations due to subsequent changes to the Program.
2. **Nonconforming Lot.** A nonconforming lot means a lot that met dimensional requirements of the applicable SMP at the time of its establishment (November 26, 1996), as amended, but now contains less than the required width, depth or area due to subsequent changes in the Program.
3. **Nonconforming Structures.** A nonconforming structure means an existing structure that was lawfully constructed prior to the effective date of this Program (November 26, 1996), as amended, but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the Program.

4.2.1.3 Goal

It is the purpose of this section to recognize legally established uses, lots, and structures, and to allow them to be maintained, repaired, remodeled, replaced, and, in some cases expanded, in conformance with Section 4.2.1.5 through 4.2.1.8 of this Program with due regard to unique site conditions and property rights.

4.2.1.4 Policies

1. Nonconforming structures may be replaced, repaired, maintained, or remodeled and, in some cases, nonconforming structures may be expanded provided the change meets the current regulations and standards of this Program. Decreases in nonconformity should be encouraged.
2. Once discontinued, reestablishment of nonconforming uses and nonconforming commercial structures located in the shoreline jurisdiction should be restricted or phased out over time.

3. Nonconforming overwater structures may be reconstructed to the same size and modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.
4. Nonconforming lots of record may be developed consistent with the standards and regulations of this Program.
5. Redevelopment of nonconforming public rights-of-way and associated existing transportation structures may be permitted for purposes of facilitating essential public access, development of public trails and/or public shoreline access.

4.2.1.5 Regulations – General

1. Nonconforming uses, lots, and structures may continue subject to the provisions of this section.
2. Any alterations to nonconforming uses or structures shall meet the no net loss standard pursuant to Section 4.1.2.4. The current condition of the shoreline, including nonconforming uses and structures, shall be the starting point or baseline for determining compliance with the no net loss standard.

4.2.1.6 Regulations - Nonconforming Uses

1. Nonconforming uses shall not be altered or expanded in any way that increases the nonconformity.
2. If a nonconforming use is discontinued for twelve (12) consecutive months, any subsequent use shall be conforming; except that if a nonconforming use is operated within a nonconforming structure that is accidentally damaged or destroyed and reconstruction is proposed under Section 4.2.1.7, then the use may be re-established within the same time period as the reconstruction for the nonconforming structure pursuant to Section 4.2.1.7.1(7).
3. A nonconforming use cannot be changed to another nonconforming use.
4. Change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, provided that all provisions are met.

4.2.1.7 Regulations – Nonconforming Structures

4.2.1.7.1 *General Provisions – Nonconforming Structures*

1. All nonconforming structures may be maintained, repaired, renovated, remodeled, or rebuilt. In some cases, nonconforming structures may be expanded subject to the specific provisions of this Program.
2. Nonconforming structures shall not be reconstructed, altered, or expanded in any way that increases the nonconformity.
3. No further encroachment into the shoreline buffer established in accordance with Section 4.1.3 is allowed unless permitted by this Program.
4. Any nonconforming structure that is relocated must conform to regulations of this Program.

5. The enlargement or replacement of a structure shall not warrant new shoreline stabilization for the life of the new structure; and
6. A replacement structure, or portion thereof, must meet geologically hazardous provisions in Section 4.1.5.
7. A complete application for any reconstruction under this section must be submitted within three (3) years of the date of damage or removal and must include documentation of site conditions and building configuration existing immediately prior to the time the structure was demolished or destroyed. Upon approval of the application, redevelopment must be completed within one (1) year of the commencement of reconstruction. A one (1) year extension may be granted, provided that a written request is submitted no later than twenty-one (21) days prior to either deadline and provided that the owner is not responsible for the delay.

4.2.1.7.2 *Nonconforming Structures – Residential Single-Family: Primary Structures*

1. A nonconforming primary residential structure located within the shoreline buffer may be altered, expanded, or rebuilt, provided:
 - a. If an existing primary residential structure is damaged or destroyed by any means, it may be reconstructed to the same footprint and bulk dimensions existing immediately prior to the demolition or destruction.
 - b. Any enlargement or expansion of the building, including any new impervious surfaces, shall be located landward of the existing or original building footprint.
 - c. No enlargement or expansion shall be located within Zone 1 of the shoreline buffer.
 - d. For structures not within an encumbered lot, enlargement or expansion may be allowed as follows:
 - A. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed hard surfaces is less than or equal to four thousand square feet expansion is allowed with mitigation as required in the Single Family Shoreline Mitigation Manual.
 - B. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed hard surfaces is greater than four thousand square feet expansion is allowed with submittal of a site-specific impact analysis and approval of a shoreline conditional use permit.
 - e. No landmark trees as defined in BIMC 16.24 shall be removed to accommodate the enlargement or expansion.
 - f. No significant trees shall be removed to accommodate the enlargement or expansion unless the Administrator determines all of the following are met:

- A. The use of mitigation sequencing pursuant to Section 4.1.2.6 is demonstrated prior to removal of the tree.
- B. The healthy trees remaining on the property are able to maintain existing shoreline ecological function and processes.
- C. Reasonable and feasible alternatives that would allow for the preservation of the tree are not available.
- g. Permitted expansion of a nonconforming structure shall not substantially impact the existing views of the water from primary residences or public rights-of-way to any greater degree than a fully conforming structure in accordance with Section 4.1.3.11.
- h. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.

4.2.1.7.3 *Nonconforming Structures – Residential: Accessory Structures*

- 1. If an existing residential accessory structure, including accessory dwelling units, is damaged or destroyed by any means, it may be reconstructed to the same footprint and bulk dimensions existing immediately prior to the demolition or destruction.

4.2.1.7.4 *Nonconforming Structures – Residential and Commercial Overwater Structures*

- 1. Nonconforming docks, piers, floats, and buoys may be replaced in the same footprint and shall comply with this Program's requirements for materials and standards, to the extent practicable.
- 2. Nonconforming docks, piers, floats, and buoys may be modified, reoriented or altered within the same general location without a substantial development permit if the resulting structure is more consistent with this Program's requirements for materials and standards.
- 3. Replacement of nonconforming overwater structures other than docks, piers, floats, and buoys may be replaced if such replacement is authorized as normal repair consistent with WAC 173-27-040(2)(b).

4.2.1.7.5 *Nonconforming Structures – Multifamily Residential: Primary Structures*

- 1. A nonconforming primary multifamily residential structure, or any portion thereof, may be reconstructed only in conformance with the current regulations and standards of this Program, including provisions for public access (Section 4.2.4.6) and residential development (Section 5.9).
- 2. A nonconforming primary multifamily residential structure, or any portion thereof, that is damaged or destroyed by a natural catastrophic event, may be reconstructed to the footprint and bulk dimensions existing immediately prior to the catastrophic event.

4.2.1.7.6 *Nonconforming Structures – Commercial and Industrial (Primary and Accessory)*

1. Nonconforming commercial and industrial structures, or any portion thereof, demolished or destroyed by any means may be reconstructed only in conformance with the current regulations and standards of this Program; except, nonconforming commercial structures utilized wholly for water-oriented uses may be reconstructed to the same footprint and bulk dimensions existing immediately prior to destruction by catastrophic event or intentional demolition.

4.2.1.7 Regulations – Nonconforming Public Facilities & Transportation

1. Nonconforming public facilities shall be allowed to continue and to be repaired, maintained, or remodeled.
2. Redevelopment of nonconforming public rights-of-way and associated transportation structures is allowed for purposes of facilitating essential public access, development of public trails, and/or public shoreline access, provided that no other alternative is feasible and redevelopment shall be otherwise consistent with the provisions of this Program, including but not limited to the provisions for public access and no net loss of shoreline ecological functions and processes.

4.2.1.8 Regulations – Encumbered and Nonconforming Lots

1. Single-family development and redevelopment, except in the Point Monroe District, that is proposed on a nonconforming lot or proposed for a shoreline property that is significantly encumbered by critical areas, critical areas buffers or setbacks, or shoreline buffers, may be allowed without a shoreline variance when the following criteria are met:
 - a. If a lot contains a building area of 2,500 square feet or more that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development of a single-family residence and normal appurtenances shall occur within that unrestricted development area and comply with the provisions of this Program. The development area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping.
 - b. If a lot does not contain a development area of 2,500 square feet or more available for a single-family residence and normal appurtenances that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development shall meet the following provisions:
 - i. Landslide hazard provisions of Section 4.1.5.11.4 and 4.1.5.11.5.c, d, g, and h, Critical Areas, and provide the maximum setback or buffer dimension feasible for critical areas; and
 - ii. Provide a development area not to exceed 2,500 square feet with maximum lot coverage of 1,200 square feet. The development area shall be located on the portion of the lot providing the maximum shoreline buffer dimension with consideration given to view; and

- iii. All single-family residential development approved under this section shall meet the shoreline structure view setback provisions in Section 4.1.3.11, Regulations – Shoreline Structure Setback View Requirement; and
- c. The area between the structure and the shoreline and/or critical area shall comply with revegetation standards in Section 4.1.2.5(3), the vegetation conservation standards of Section 4.1.3, Vegetation Management, and provisions of Section 4.1.5 Critical Areas; and
- d. Development may not take place waterward of the ordinary high water mark; and
- e. Facilities such as a conventional drainfield system may be allowed outside of the development area specified above, and allowed within buffer areas, except wetlands buffers. Such facilities shall be located a minimum of 75 feet from the ordinary high water mark; and shall be subject to regulations of Section 4.1.5, Critical Areas.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (6:30 PM) Resolution No. 2019-08 (Formerly Resolution No. 2018-33), Relating to Transportation Benefit District Fee Increase - Finance,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Finance & Administrative Services

RECOMMENDED MOTION:

I move to approve Resolution No. 2019-08.

SUMMARY:

Resolution No. 2019-08 proposes to increase the Transportation Benefit District vehicle license fee from the current \$20 per vehicle license to \$30.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	No

BACKGROUND:

On December 4, 2018, the City Council discussed a potential \$10 fee increase for vehicle license fees. The current vehicle license fee is \$20. Revenue from this fee is collected in the City's Transportation Benefit Fund. Through the budget process, money is transferred out of the fund to eligible projects and programs.

On December 11, 2018, the Council discussed how best to spend an increase to the Vehicle License Fee. As a result of the discussion and per the Council's direction, associated with this Resolution are two other Resolutions for consideration at this January 8, 2019 Council meeting: one to adopt proposed changes to the

City's Financial Policies related to use of the Fee revenue, and another to further specify how a portion of that revenue will be used.

ATTACHMENTS:

[Resolution No. 2019-08 Approving an Increase to Vehicle License Fee](#)

FISCAL DETAILS:

Fund Name(s): Other

Coding:

RESOLUTION NO. 2019-08

A RESOLUTION of the City of Bainbridge Island, Washington, approving an increase of the vehicle license fee from \$20 to \$30, as allowed under RCW 36.73.065.

WHEREAS, on August 22, 2012, the City Council adopted Ordinance No. 2012-14, establishing the Bainbridge Island Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district's governing board, a fee of up to \$40.00 if a \$20.00 vehicle fee has been imposed for at least twenty-four months; and

WHEREAS, on January 9, 2013, the Bainbridge Island Transportation Benefit District adopted TBD Resolution No. 2013-01, establishing a \$20.00 vehicle license fee in accordance with RCW 36.73.065; and

WHEREAS, on December 1, 2015, the City Council adopted Ordinance No. 2015-31, assuming the rights, powers, functions, and obligations of the Bainbridge Island Transportation Benefit District in accordance with Chapter 36.74 RCW; and

WHEREAS, in accordance with RCW 82.80.140, the new vehicle license fee may not be collected until six months after approval of the increase by the City Council; and

WHEREAS, the City Council finds it to be in the best interest of the City to increase the vehicle fee from the current amount of \$20.00 to \$30.00 and to use the additional revenue from the increase in the vehicle license fee for eligible projects and programs under Chapters 36.73 and 36.74 RCW that are specific to traffic calming and climate change mitigation.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, DOES RESOLVE AS FOLLOWS:

Section 1. In accordance with RCW 36.73.065, an annual vehicle license fee in the amount of \$30 is established to be collected and administered by the Washington State Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140 and Chapters 36.73 and 46.17 RCW.

Section 2. The vehicle license fee shall take effect for notices mailed in 2019 for vehicle license renewals due as soon thereafter as the Washington State Department of Licensing is reasonably able to incorporate collection of the \$30.00 fee. Provided that, in accordance with RCW 82.80.140(4), vehicle license fees will not be collected sooner than six months after the passage of this resolution.

Section 3. The revenues received from the \$30.00 license fee shall only be expended on transportation projects approved by the City Council.

Section 4. This resolution shall take effect immediately after its passage.

PASSED by the City Council this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

By: _____
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: _____
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

December 31, 2018
January ____, 2019
2019-08



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (6:40 PM) Resolution No. 2019-07 (Formerly Resolution No. 2018-38), Updating Financial Policies Relating to Use of Transportation Benefit Fund Fee Increase - Finance,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Finance & Administrative Services

RECOMMENDED MOTION:

I move to approve Resolution No. 2019-07.

SUMMARY:

Consideration of a resolution amending the City's Financial Policies to address the use of revenue resulting from an increase to the City's vehicle license fee.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	No

BACKGROUND: During the discussions of the 2019-2020 Proposed Budget, the Council requested that staff bring a resolution to increase the vehicle license fee from \$20 to \$30 and the Council provided guidance as to the use of the new revenue during the budget discussions. On December 4, 2018, the Council considered a draft resolution to increase the vehicle license fee and discussed ways to direct staff on the spending of additional revenue due from an increase in the vehicle license fee. The discussion continued on December 11, 2018.

Staff suggested that the Council provide guidance through the City's Consolidated Financial Policies and provided draft revised financial policies for consideration with new language to direct the spending of the additional revenue from an increased vehicle license fee to projects and programs specific to traffic calming

and climate change mitigation. New language is highlighted in yellow in the attached resolution to indicate changes responsive to Council's direction.

Revenue from the vehicle license fee is deposited into the City's Transportation Benefit Fund. Through the budget process, money is transferred out of the fund to eligible projects and programs. Use of all Transportation Benefit Fund monies is approved by the Council through the budget appropriation process.

ATTACHMENTS:

[Resolution No. 2019-07, Updating the City's Financial Policies](#)

FISCAL DETAILS:

Fund Name(s): Other

Coding:

RESOLUTION NO. 2019-07

A RESOLUTION of the City of Bainbridge Island, Washington, updating the City's consolidated set of financial and budget policies to provide direction on eligible spending to be supported with Transportation Benefit Fund revenues.

WHEREAS, the City Council ("Council") is responsible for setting financial policy for the City of Bainbridge Island ("City"); and

WHEREAS, state law, including Chapter 35A.33 RCW, provides guidance for budgets in Code Cities; and

WHEREAS, in accordance with Chapter 35A.34 RCW and Chapter 2.82 BIMC, the City prepares a biennial budget with a mid-biennial review; and

WHEREAS, the Council wishes to update the City's consolidated set of Financial and Budget Policies ("Financial Policies") guiding Council action, which Financial Policies are administered by the City's Administration ("Administration"); and

WHEREAS, the Council desires to update the Financial Policies to provide direction on the types of eligible spending to be supported with Transportation Benefit Fund revenue as authorized by Chapters 36.73 and 36.74 RCW; and

WHEREAS, in the past, the Council has approved policies and passed resolutions related to Financial Policies that continue to guide City financial practices, including, but not limited to: Resolution No. 1993-52, which establishes investment policies; Resolution No. 2008-01, which establishes an Emergency Rainy Day Reserve Fund and a Contingency Reserve within the General Fund; Resolution No. 2008-14, which establishes debt management policies; Resolution No. 2010-35, which set targets for General Fund reserves; Resolution No. 2013-13, which provides that funds from the City's utilities shall not be expended for general governmental services; Resolution No. 2014-17, which sets a minimum fund balance policy for the General Fund; Resolution No. 2016-20 adopting a Municipal Securities Disclosure Policy, which establishes public disclosure rules for City-issued municipal securities; Resolution No. 2016-18, which establishes procedures for the surplus and sale of City real property; Resolution No. 2016-19, updating the consolidated Financial Policies; and Resolution No. 2018-07, updating the consolidated Financial Policies.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND DOES RESOLVE AS FOLLOWS:

SECTION 1. PURPOSE

The primary purpose of the Financial Policies is to provide guidelines for the Council and staff to use in making financial decisions that ensure core services are maintained and the Council's vision for the community is achieved.

The Financial Policies guide the City to be able to withstand local and regional economic variations, to adjust to changes in service requirements, and to respond to other changes as they affect the community.

It is the policy of the City to maintain an excellent credit rating and assure taxpayers that the City of Bainbridge Island is maintained in sound financial condition.

SECTION 2. OPERATING BUDGET POLICIES

The biennial budget is the City's comprehensive two-year financial plan, which supports the City's approved programs and services.

City programs and services support achievement of the following results, as identified and approved by the Council:

- Green, Well-Planned Community
- Healthy and Attractive Community
- Reliable Infrastructure and Connected Mobility
- Safe City
- Vibrant Economy
- Good Governance

Biennial budgets should provide for design, construction, maintenance and replacement of the City's capital assets and equipment consistent with the Capital Facilities Plan including the related cost for operating new assets.

The City will maintain all its assets such that it protects the City's capital investment, preserves public safety, and minimizes future maintenance and replacement costs.

All general government current operating expenditures will be paid from current revenues and cash carried over from prior years.

The City shall adopt a balanced budget. The City defines a balanced budget as one in which current biennium budgeted revenues in addition to fund balances are equal to or greater than current biennium budgeted expenditures. In addition, the City's budget shall maintain recurring expenditures for each fund at a level less than recurring revenues for that fund.

Reports on revenues and expenditures shall be prepared monthly and provided to the Council. Mid-year and annual reports will also be prepared and provided. These reports will also be posted to the City's website or reporting portal.

The City shall consider its financial capacity when making budget decisions. Staff shall deliver to Council a ten-year Financial Capacity Analysis as part of the biennial budget process. For each Financial Capacity Analysis, the financial assumptions shall be reasonable and shall take into account an appropriately chosen set of inflation factors and an appropriate set of economic projections. The Administration's chosen assumptions for revenues, expenditure inflation factors and economic measures shall be disclosed to the Council.

SECTION 3. REVENUES

The City will strive to maintain a diverse and stable revenue stream to protect against short-run volatility of any single revenue source.

Because revenues, especially those of the General Fund and other tax-supported funds, are sensitive to economic changes, the City will use a conservative approach to revenue forecasting.

Departmental revenues of the tax-supported funds shall be considered unrestricted revenue of the City – subject to any applicable legal restriction, and subject to any applicable provision of the Financial Policies, that may apply to a particular revenue source.

Revenues from the Commercial Parking Tax shall be treated as revenues of the Street Fund.

Real Estate Excise Tax revenue shall be first applied to current capital debt service and then, to the extent available, to other eligible expenses.

On an annual basis, Transportation Benefit Fund revenue will be distributed in the following manner: two-thirds will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW for preservation of the roads network, and one-third will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW that are specific to traffic calming and climate change mitigation.

The City shall maintain a structure for all fees and charges where the beneficiary of the service pays the cost of that service except to the extent that the Council has determined that provision of the specific service in question provides a general public benefit.

On a periodic basis, Building and Development Services (B&DS) rates shall be reviewed, with a goal of full cost recovery for the B&DS Fund.

The City will maintain water, sewer and storm water utility rates adequate to ensure that each of these three utility funds is fully self-supporting. Additionally, for analysis and rate modeling purposes, the proposed rates shall take into account debt service coverage commitments, if applicable. The capacity to support identified utility reserves will also be taken in to account.

SECTION 4. EXPENDITURES

The City budget will provide for a sustainable level of service to meet the City's identified results.

The City will maintain expenditure categories according to state statute and administrative regulation. Capital expenditures shall meet the requirements of generally accepted accounting principles (GAAP).

The City shall use major one-time revenue to fund capital improvements, debt reductions, or reserves. The use of one-time revenues to fund operating expenditures is strongly discouraged.

The Council shall review the Administration's recommended plan for the allocation of City costs to various funds as part of the biennial budget process.

As a general rule, when an expenditure is incurred for which both restricted and unrestricted fund balance is available, the City will consider the more restricted amounts to have been spent first.

On a periodic basis, the Administration shall compare the cash compensation and the value of benefits for City employee positions to the compensation and benefit levels to a set of comparable employers, to provide data for potential compensation and benefit policies which may be adopted by the Council.

SECTION 5. CAPITAL

The Capital Facilities Goals and Policies that are stated in the City's Comprehensive Plan, as amended from time to time, are hereby included in full in the Financial Policies.

The Capital Improvement Plan and the City operating budget will be reviewed at the same time to ensure that capital and operating needs are balanced with each other and support overall City goals.

The City shall develop a six-year plan for capital improvements and update it at least biennially.

The City will identify the estimated costs and proposed funding sources for each capital project proposal before it is submitted to Council for approval. The City will use intergovernmental assistance and outside resources whenever possible. In the event that a grant, or other type of intergovernmental assistance, is identified as a funding source for a project and the outside funding is not secured, the City will reconsider the financial viability of that project at that time.

Each individual project included in the capital improvement plan (CIP) shall have a budget with identified contributions by fund. Each fund amount shall be distinct and cannot be transferred without amending the CIP. Reporting will be presented at the project and fund level.

When a capital project is complete and has been capitalized in accordance with Generally Accepted Accounting Principles, any remaining project budget appropriation authority shall lapse and all remaining funds shall return to their original source.

SECTION 6. RESERVES

Reserve funds enable the City to deal with unforeseen emergencies and changes in economic conditions.

General Fund Reserves

Emergency Reserve: The City shall maintain an Emergency Reserve with a budgetary target amount of \$1.0 million. These funds shall be used only to pay for emergencies that cannot reasonably be accommodated by current budget appropriations. These funds may be appropriated only by a vote of not less than five (5) members of the Council or the unanimous vote of a legal quorum. It is the Council's policy that if funds are spent from the Emergency Reserve, it should be replenished as resources become available.

General Fund Minimum Fund Balance. The City shall maintain a minimum fund balance of 25% of ongoing revenues in the General Fund. The General Fund minimum fund balance shall mean the dollar amount of unencumbered fund balance, excluding any amounts held in reserves or otherwise committed funds. This fund balance is intended to provide stability in the event of unexpected changes to revenues or expenses.

Utility Fund Reserves

Capital Contingency Reserve. Each utility fund shall maintain a separate capital contingency reserve. Each reserve shall have a targeted level of at least one percent (1%) of the utility system's capital assets at net book value. The primary purpose of the reserve is to provide a ready source of cash in case of an emergency, should a major piece of equipment or a portion of the utility's infrastructure fail unexpectedly.

Operating Reserve – Water and Sewer Funds. These reserves shall have a targeted level as of each year-end of at least sixty (60) days' operating expenses. The primary purpose of the reserve is to provide cash for operations in case of seasonal variations in revenue or expenses, or to support operations in a year in which revenues are abnormally low.

Operating Reserve – Storm and Surface Water Management Fund. This reserve shall have a targeted level as of June 30 and December 31 of at least 90 days' operating expenses. The primary purpose of the year-end reserve is to provide cash for operations during the period between the payment of the fees, which occurs in two large payments in April and October.

Restricted Debt Reserve. To the extent that the City issues a form of debt (e.g. Revenue Bonds) that requires the City to maintain a restricted cash reserve during the term of the debt repayment period, the utility shall maintain a restricted reserve for such purpose. This reserve is to safeguard the purchasers of the utility's debt, and may be used to fund the final installment or last year's debt service.

SECTION 7. ACCOUNTING, AUDITING AND FINANCIAL REPORTING

The City will establish and maintain a high standard of internal controls and accounting practices. The City accounts and budgets for revenue and expenditures on a modified accrual basis for general government and enterprise activities. Year-end financial statements for enterprise activities shall use full accrual accounting.

The accounting system will maintain records on a basis consistent with accepted national standards for local government accounting and the Washington State Auditor's Budgeting, Accounting and Reporting System.

The annual financial statements shall conform to Generally Accepted Accounting Principles (GAAP) and be in the form of a Comprehensive Annual Financial Report as recommended by the Government Finance Officers Association.

A capital asset system will be maintained to identify all City assets and their location.

The City will ensure that City records are audited annually, resulting in a financial opinion. The results of the audit will be available to the public through the City's website.

SECTION 8. DEBT

The City's Debt Policy, as it may be amended from time to time, is hereby included in the Budget Policies.

SECTION 9. INVESTMENT

The City's Investment Policy, as it may be amended from time to time, is hereby included in the Financial Policies.

SECTION 10. BANKING AND MONEY MANAGEMENT

Safety

The City shall engage in relationships, and conduct its business, with one or more banks, repositories of public pooled funds, and financial institutions in a manner that avoids concentrating City balances in a way that may expose the City to material losses in the event of an adverse development affecting any bank or financial institution in which City assets are held.

Money Management

The Administration shall seek to form relationships with banking and financial institutions that offer the City efficient and effective tools and technologies to manage and track transactions and balances.

SECTION 11. MUNICIPAL SECURITIES DISCLOSURE

The City's Municipal Securities Disclosure Policy, as it may be amended from time to time, is hereby included in the Financial Policies.

SECTION 12. SURPLUS REAL PROPERTY

The City's Surplus Real Property Policy, as it may be amended from time to time, is hereby included in the Financial Policies.

SECTION 13. PROCUREMENT POLICY

The City's Procurement Policy, as it may be amended from time to time, is hereby included in the Financial Policies.

PASSED by the City Council this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

By: _____
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: _____
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	January 4, 2019
PASSED BY THE CITY COUNCIL:	
RESOLUTION NO.:	2019-07



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (6:50 PM) Resolution No. 2019-06, Directing Use of Additional Vehicle License Fee Revenue - Finance,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Finance & Administrative Services

RECOMMENDED MOTION:

I move to approve Resolution No. 2019-06.

SUMMARY:

This resolution directs the spending of additional revenue to be received from an increase in the vehicle license fee toward BI Ride marketing and awareness and neighborhood safety and traffic calming.

In order to direct City staff regarding the spending of a potential increase to the Vehicle License Fee, new language is included within the City's Financial Policies (considered as a separate item). This resolution provides further direction for revenue to be received starting in 2019, and until such time as an additional resolution is passed by Council.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	No

BACKGROUND:

On December 11, 2018, the City Council considered a memo providing guidelines for the use of new revenue to be received from an increase in the vehicle license fee. The memo is attached for reference. The Council

directed that City staff create a resolution based on the memo for consideration during the Council meeting on January 8, 2019.

During the 2019-2020 budget development process and most recently on December 4 and December 11, 2018, the Council discussed a potential \$10 fee increase for vehicle license fees. The current vehicle license fee is \$20. Revenue from this fee is deposited into the City's Transportation Benefit Fund. Through the budget process, money is transferred out of the fund to eligible projects and programs.

Resolution No. 2019-06 provides further direction regarding use of revenue to be received starting in 2019, and until such time as an additional resolution is passed by Council.

ATTACHMENTS:

[Resolution No. 2019-06 Specifying Use of Revenue From Increased Vehicle License Fee](#)

[Councilmember Tirman Memo TBF December 10, 2018.docx](#)

FISCAL DETAILS: Revenue generated from this fee is deposited into the City's Transportation Benefit Fund. City staff will need to develop and manage a new marketing program for BI Ride and will need to create and manage a new neighborhood traffic calming program. Through the budget process \$100,000 would be transferred to a marketing program for BI Ride, and \$20,000 or less would be transferred to eligible traffic calming projects chosen from the application process.

Fund Name(s): Other

Coding:

RESOLUTION NO. 2019-06

A RESOLUTION of the City of Bainbridge Island, Washington, specifying how revenue from the increase of the vehicle license fee from \$20 to \$30, as allowed under RCW 36.73.065, will be used.

WHEREAS, on August 22, 2012, the City Council adopted Ordinance No. 2012-14, establishing the Bainbridge Island Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district's governing board, a fee of up to \$40.00 if a \$20.00 vehicle fee has been imposed for at least twenty-four months; and

WHEREAS, on January 9, 2013, the Bainbridge Island Transportation Benefit District adopted TBD Resolution No. 2013-01, establishing a \$20.00 vehicle license fee in accordance with RCW 36.73.065; and

WHEREAS, on December 1, 2015, the City Council adopted Ordinance No. 2015-31, assuming the rights, powers, functions, and obligations of the Bainbridge Island Transportation Benefit District in accordance with Chapter 36.74 RCW; and

WHEREAS, on January 8, 2019, the City Council adopted Resolution No. 2019-08, increasing the vehicle fee from \$20.00 to \$30.00; and

WHEREAS, all revenue from the City's vehicle fee ("Revenue") is deposited in the City's Transportation Benefit Fund; and

WHEREAS, also on January 8, 2019, the City Council adopted Resolution No. 2019-07, updating the City's Financial and Budget Policies to specify that, on an annual basis, two-thirds of the Revenue will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW for preservation of the roads network, and one-third of the Revenue will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW that are specific to traffic calming and climate change mitigation; and

WHEREAS, the City Council now desires to provide more specificity as to the traffic calming and climate change mitigation projects that one-third of the Revenue will be used for; and

WHEREAS, Policy TR 1.3 of the City's Comprehensive Plan is to "[e]ncourage and support the establishment of ride sharing and ride hailing services"; and

WHEREAS, Policy TR 8.2 of the City’s Comprehensive Plan is to “[s]upport the character of neighborhoods by providing neighborhood programs and projects for place making, traffic calming, greenways, appropriate street width, lighting for safety, curb cuts, and pedestrian and bicycle facilities as consistent with the Comprehensive Plan”; and

WHEREAS, Goal TR-12 of the City’s Comprehensive Plan is to “[d]evelop, operate, and maintain a transportation system that respects and protects the natural environment including the quality of the Island’s air, water and natural habitats”; and

WHEREAS, Policy TR 12.2 of the City’s Comprehensive Plan is to “[d]evelop transportation plans and programs that reduce travel demand, improve traffic flow and consider the impact to air quality including reducing greenhouse gas emissions. Support County, regional and state air quality goals and requirements.”

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND DOES RESOLVE AS FOLLOWS:

Section 1. In accordance with the City’s Financial and Budget Policies, this resolution describes traffic calming and climate change mitigation projects to be funded with one-third of the Revenue.

Section 2. To reduce reliance on single-occupancy vehicles, relieve traffic congestion, and lower greenhouse gas output on Bainbridge Island, no more than \$100,000 of the one-third of the Revenue shall go toward working with Kitsap Transit to engage the community and communicate the benefits of the current BI Ride service. Efforts should go toward high-value and high-impact marketing outreach that shall include a metrics-based campaign designed to show an increase in awareness and use of the BI Ride service. Approved uses of the Revenue for this purpose include:

- A. Social media and traditional advertising and marketing efforts.
- B. Event awareness and subsidizing rides for targeted groups to include seniors and youth during specified times of the year.
- C. Collateral development for information campaigns with community groups.
- D. Stakeholder engagement and promotion with other taxing districts on Bainbridge Island.

Section 3. The City Council hereby establishes an annual neighborhood safety and traffic calming application process to fund small (<\$20,000 per project) traffic calming and safety measures. The portion of the one-third of the Revenue not otherwise allocated by Section 2 of this resolution shall be awarded by the City Council through this application process. The City Manager is directed to develop the application process, which must encompass the following:

- A. A web-based form for submitting proposed safety and traffic-calming projects.
- B. A process whereby City staff will work with the City Council to select and award projects in a manner that considers Island-wide geographic equity.
- C. Proposed projects must focus on measures that increase pedestrian and driver safety or provide an infrastructure-related benefit to the neighborhood in question.

Section 4. This resolution shall take effect immediately after its passage.

PASSED by the City Council this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

By: _____
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: _____
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	December 31, 2018
PASSED BY THE CITY COUNCIL:	_____, 2019
RESOLUTION NO.	2019-06



December 10, 2018

Re: Car Tab Fee Raise to Support Mass Transit and Neighborhood Safety and Traffic Calming

Council Colleagues,

Please see below a use of funds plan for the proposed \$10 increase in car tab fees, raising the overall amount to \$30 per vehicle, per year.

Additional revenues generated by the \$10 additional raise shall go toward the following activities and be placed in a separate City account and shall not be spent on any project or effort not specified by Council resolution.

1. BI Ride Marketing and Awareness: To reduce reliance on single-occupancy vehicles, relieve traffic congestion, and lower our island's greenhouse gas output, no more than \$100,000 shall go toward working with Kitsap Transit to engage the community and communicate the benefits of the current BI Ride offering. The City has engaged in no marketing efforts since BI Ride's inception, an effort the City was originally supposed to take the lead on. Efforts should go toward high-value and high-impact marketing outreach that shall include a metrics-based campaign designed to show an increase in awareness and use of the BI Ride service. Approved uses of funds include:
 - Social media and traditional advertising and marketing efforts.
 - Event awareness and subsidizing rides for targeted groups to include seniors and youth during specified times of the year.
 - Collateral development for information campaigns with community groups.
 - Stakeholder engagement and promotion with other taxing districts on Bainbridge Island.
2. Neighborhood Safety and Traffic Calming: City Council has heard from numerous neighborhoods and concerned citizens around the need for small (<\$20,000 per project) traffic calming and safety measures. COBI will establish an annual Neighborhood Safety and Traffic Calming application process that will encompass the following:
 - A web-based form for submitting proposed safety and traffic calming efforts.
 - A process whereby city staff will review, vet, and work with Council Ward reps on the selection and awarding of projects in a manner that best allows for Island-wide geographic equity.
 - Projects must focus on measures that increase pedestrian and driver safety or provide an infrastructure related benefit to the neighborhood in question.

Regards,

Matthew Tirman

Councilmember, Bainbridge Island

280 Madison Avenue North
Bainbridge Island, Washington 98110-1812
www.bainbridgewa.gov
206.842.7633



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (7:05 PM) Discussion of WSDOT Response to Proposed Design of Visconsi Trail Segment - Public Works,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Public Works

RECOMMENDED MOTION:

Approve revised design for trail.

SUMMARY:

The Visconsi development at the Northeast corner of High School Road and SR305 is required to complete a trail segment on the West side of SR305 as part of their development conditions. Recent WSDOT guidance has determined that the trail needs to be 10-feet wide to meet WSDOT standards.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

The Visconsi development at the Northeast corner of High School Road and SR305 is required to complete a trail segment on the West side of SR305 as part of their development conditions. During discussions in 2018, the City Council directed Public Works to seek WSDOT approval to construct an 8-ft wide trail segment in WSDOT SR305 right-of-way. The attached response was recently received from WSDOT. WSDOT has determined that the trail needs to be 10-feet wide to meet WSDOT standards.

ATTACHMENTS:

[WSDOT design guidance Visconsi Trail.docx](#)

[Conceptual Trail Alignment 2018-02-13.pdf](#)

[Proposed Alignment CCmtg 2018-04-17.pptx](#)

FISCAL DETAILS:

The Visconsi developer is responsible for funding the construction of the trail.

Fund Name(s):

Coding:

From: Severson, Dale <SeversD@wsdot.wa.gov>
Sent: Monday, December 24, 2018 11:26 AM
To: Mark Epstein <mepstein@bainbridgewa.gov>
Cc: Heusman, Jonathan <HeusmaJ@wsdot.wa.gov>
Subject: RE: SR 305 Trail Extension

Hello Mark,

Did some more checking internally here on COBI's proposed 8-foot shared use pathway to be located on the west side of SR 305 and north of High School Road. As planned it would initially just connect to the City's park located just to the north of High School Road and on the west side of SR 305, and be about 425 feet in length. Eventually the trail could be extended further to the north on SR 305 right-of-way.

As you know the WSDOT standards for a shared-use trail, per WSDOT Design Manual Chapter 1515 is the trail should be 12 feet wide with a minimum of 10-feet wide being acceptable. That does not include the 2 feet of gravel shoulders that is also required either side of the trail. Section 1515.04 Shared-Use Path Design – The Basics does list criteria for “*Exceptions to Minimum Path Widths*” allowing for a reduced path width of 8 feet. It reads:

In very rare circumstances, a reduced width of 8 feet may be used where the following conditions prevail:

- *Bicycle traffic is expected to be low, even on peak days or during peak hours.*
- *Pedestrian use of the facility is not expected to be more than occasional.*
- *Horizontal and vertical alignments provide frequent, well-designed passing and resting opportunities.*
- *The shared-use path will not be regularly subjected to maintenance vehicle loading conditions that would cause pavement edge damage.*
- *The share-use path is for a short distance such as a spur connection to a neighborhood.*

Based on our discussions, the information you have provided to date, and my internal discussions with management - we feel the proposed shared-use trail would not be justified to be allowed to have a reduced 8 foot trail width. Our main reasoning is as follows highlighted in red:

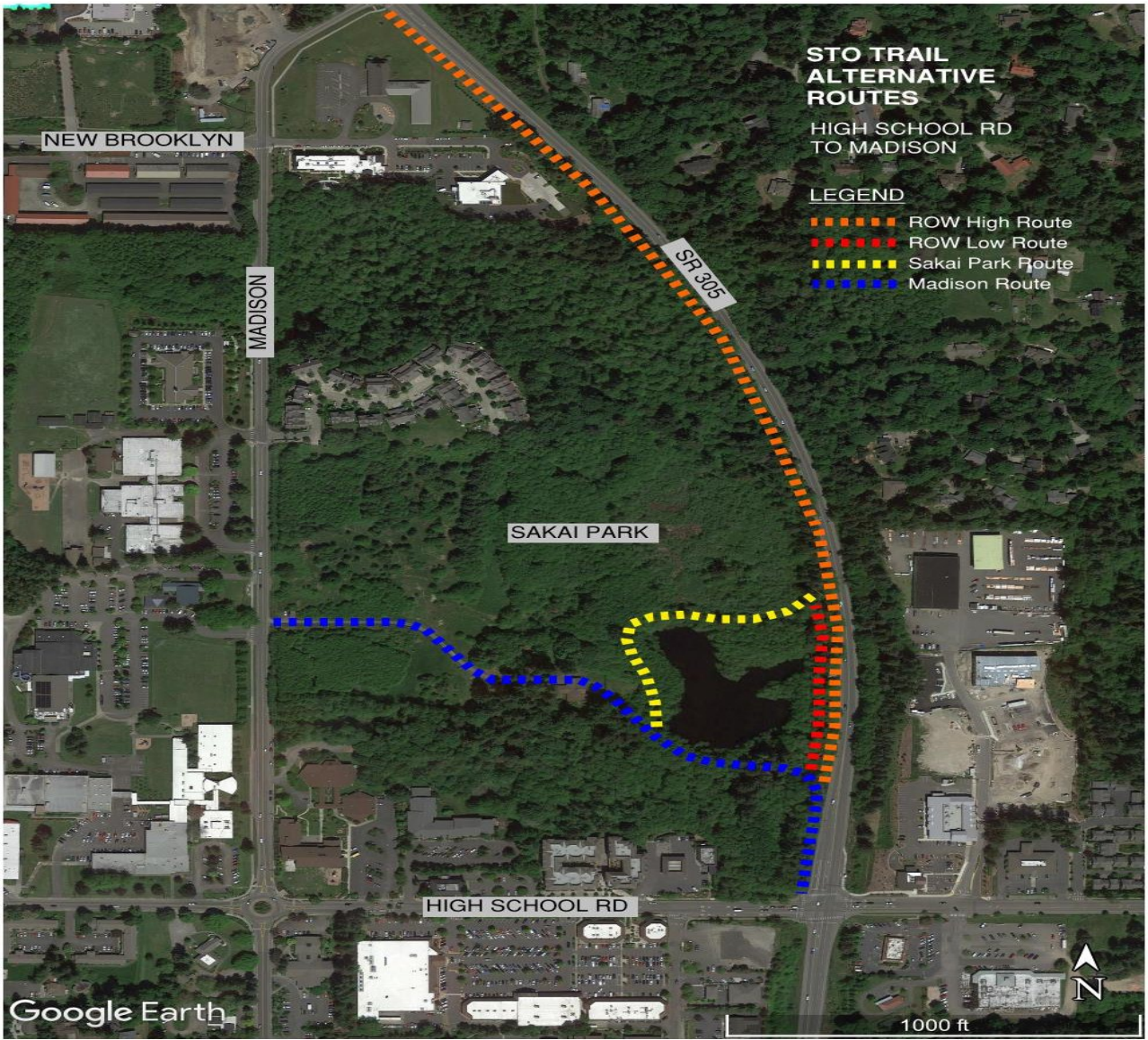
- *Bicycle traffic is expected to be low, even on peak days or during peak hours.* The proposed trail segment effectively extends the new Winslow to High School Road shared-use trail to connect with a City park. In addition, it's our understanding the trail within the park will be a paved 10 foot wide trail. The City would have to provide engineered or study based documentation showing the bicycle use would be minimal. In addition WSDOT would want the local Bike community to provide their input, as they would be some of the main users of the shared-used trail.
- *Pedestrian use of the facility is not expected to be more than occasional.* As with the first bullet the City would have to provide engineered or study based documentation showing pedestrian use of the trail is not more than occasional. The fact the trail would be connecting to a park, and the High School Road intersection has nearby draws such as McDonalds, Safeway, and other uses that would probably trigger more than an occasional use of the trail by pedestrians.

- Horizontal and vertical alignments provide frequent, well-designed passing and resting opportunities. Being this first segment is only about 425 feet in length this realistically is not an issue.
- The shared-use path will not be regularly subjected to maintenance vehicle loading conditions that would cause pavement edge damage. Most likely not an issue, unless the City had a robust trail maintenance program and anticipated significant use of maintenance vehicles on the trail.
- The share-use path is for a short distance such as a spur connection to a neighborhood. Could consider this segment as being a short distance spur now, but when the trail is extended to the north in the future on SR 305 right-of-way it would no longer be considered a spur and would have to be widened. Just from a cost savings standpoint building it now to the minimum 10-foot width would save future city monies.

So in summary at this time WSDOT cannot support allowing a reduced 8 foot wide shared-use trail. We can allow 10 foot wide trail, which is still less than the desirable 12 foot shared use trail width that is preferred. As the Design Manual section 1515 starts out “*Shared-use paths are designed for both transportation and recreation purposes and are used by pedestrians, bicycles, skaters, equestrians, and other users.*” While we are not sure if there is any equestrian use in the area, the area undoubtedly has more than an occasional bicyclist and pedestrian that would be using the shared-use trail..

If you have questions please ask and Happy Holidays Mark.

Dale Severson, P.E.
Development Services Engineer - WSDOT Olympic Region
(360) 357-2736 | dale.severson@wsdot.wa.gov



HIGH SCHOOL RD to MADISON AV

Alternative Trail Routes



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:20 PM) Village Pump Station Replacement Project Change Order No. 3 - Public Works,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION:

I move to forward the Village Pump Station Replacement Project Change Order No. 3 for approval with the January 22, 2019 Consent Agenda.

SUMMARY:

Change Order No. 3 is needed for additional repairs to the existing force main on the east side of SR 305, installation of a new flow meter, and replacement materials for the recommended structural backfill.

FISCAL IMPACT:

Amount:	\$58,053.69
Ongoing Cost:	
One-Time Cost:	\$58,053.69
Included in Current Budget?	Yes

BACKGROUND: The Village Pump Station Replacement Project was awarded to Liden Land Development in the amount of \$394,341.29 at the March 27, 2018 City Council meeting. The project consisted of the installation of a new package pump station and removal of the existing station.

Change Order No. 1 was issued on 9/26/18 in the amount of \$26,288.49 due to freight delay causing an extension of the crane operator and time. The City is in negotiations with the pump station supplier to recover these costs, but the change order was required to pay the construction contractor for costs incurred.

Change Order No. 2 was issued on 11/19/18 in the amount of \$10,478.36 for electrical repairs, generator parts for the existing generator heater block, and vegetation removal from the existing station.

Change Order No. 3 in the amount of \$58,053.69 is for alterations to the existing force main on the east side of SR 305, installation of a new flow meter, and replacement of the required structural backfill materials. The re-routed force main will provide better access for future maintenance and will shorten the length, therefore providing for more pumping capacity from the new pump station. The existing unconsolidated fill soil conditions caused the excavation to unexpectedly ravel and the consultant recommended removal of the unsuitable soils and replace with a combination of control density fill, quarry spalls, and suitable compactable structural fill material.

Under Section 5.9 of the City's Procurement Manual, the City Council must approve change orders where the total cumulative amount of change orders is more than 10% of the original contract amount and the contract amount moves to \$300,000 or more.

It is anticipated that this project will be completed within the budgeted amount and that a final change order will be processed at close out.

ATTACHMENTS:

[Village Pump Station Project Change Order No. 3](#)

FISCAL DETAILS: The Sewer CIP - Rehabilitate Pump Station (Village) budget is \$900,000 with a remaining balance of \$206,911.

Fund Name(s): Sewer Fund

Coding:



Change Order

Village Pump Station Replacement Project

City of Bainbridge Island - Public Works Department

280 Madison Ave. N
Bainbridge Island, WA 98110
206.842.2016 Fax. 206.780.3710
pwadmin@bainbridgewa.gov

Change Order No. 3
DATE 11/19/2018
Vendor ID 5262

CONTRACTOR
Liden Land Development & Excavation
1298 Old Military Road, NE
Poulsbo, WA 98370

Contract No. 2180079
PO /Pynt No. 2180076
PO / Ret No. 5%

CHANGE ORDER DESCRIPTION: The contract is hereby revised as shown below and on any applicable attached detail, sheet, and sheet notes to this Change Order.

Item No.	Description	Unit	Unit Price	Bid Qty	Actual Qty	Final CO
Forcemain	8" HDPE Force Main-180 lf mobilzition and demob	LS	\$ 2,500.00		1.00	\$2,500
Traffic Control	Traffic control	LS	\$ 2,000.00		1.00	\$2,000
Clearing	Saw cut 360 lf asphalt	LS	\$ 1,080.00		1.00	\$1,080
Gravel Borrow	Gravel backfill w/compaction and stabilization	CY	\$ 100.00		115.00	\$11,500
Excavation	Disposal of unsuitable soil	CY	\$ 95.50		34.50	\$3,295
Install Package PS	Additional material required-ravel	LS	\$ 1,800.00		1.00	\$1,800
8" Piping	Connect to existing sewer systems	LF	\$ 40.00		180.00	\$7,200
Quarry Spalls	Support for crane and structure fill-ravel	TN	\$ 150.00		33.74	\$5,061
Crushed surface	Crushed surfacing base course-ravel	TN	\$ 150.00		26.00	\$3,900
CDF	Control Density Fill-ravel	CY	\$ 150.00		22.00	\$3,300
HMA CL 1/2	Pavement removal and repair	TN	\$ 250.00		20.50	\$5,125
MH rechannel	Cut in and rechannel manhole @ Deercliff	1.00	\$ 10,000.00		0.50	\$5,000
8" valve	Install isolation valve on exist'g FM	EA	\$ 1,500.00		1.00	\$1,500
					Total C/O:	\$53,260.27

	Amount tax incl.	Sales Tax	Total w/ Tax
Original Contract Amount:	\$361,781.00	\$32,560.29	\$394,341.29
Previous Change Orders:	\$33,731.05	\$3,035.79	\$36,766.84
Current Contract Amount:	\$395,512.05	\$35,596.08	\$431,108.13
Net Change This Change Order:	\$53,260.27	\$4,793.42	\$58,053.69
New Contract Amount:	\$448,772.32	\$40,389.51	\$489,161.83

Contractors
Acceptance: _____
Liden Land Development & Excavation Date

Prepared By: _____
Patricia Jenkins, Project Engineer Date

Approved By: _____
City Manager Date



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:30 PM) Resolution No. 2019-02, Updating the Administrative Manual for the Department of Planning and Community Development to Address Amendments to Chapter 2.16 BIMC - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

I move to approve Resolution No. 2019-02.

SUMMARY:

Updating the Administrative Manual for the Department of Planning and Community Development to address recent amendments to Chapter 2.16 BIMC.

In the Administrative Manual provided in the background materials, proposed revisions are highlighted in yellow. [Underlined text denotes a hyperlink to additional information -- not proposed revisions.] Major revisions include the addition of submittal requirements for the new Conceptual Proposal Review Meeting and Design Guidance Review Meeting requirements, adopted via Ordinance 2018-20. Other minor revisions are included for clarification and consistency with Ordinance 2018-20.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

The Administrative Manual of the Department of Planning and Community Development ("Administrative Manual") is designed to be a user-friendly manual that contains submittal requirements and supporting

documents for land use permits. On December 11, 2018, the City Council adopted Ordinance No. 2018-20, amending Chapter 2.16 BIMC, Land Use Review Procedures. Amendments to Chapter 2.16 BIMC include new land use review meetings for major projects: Conceptual Proposal Review and Design Guidance Review.

The resolution with this agenda item, Resolution No. 2019-02, proposes to update the Administrative Manual to include submittal requirements for these new land use review meetings to reflect the Council's adoption of Ordinance No. 2018-20. City staff recommends approval of Resolution No. 2019-02 on January 8, 2019, so that the updated Administrative Manual will be in place as soon as possible, since the City is accepting land use applications for some major projects that require the new land use review meetings.

ATTACHMENTS:

[Resolution No. 2019-02 PCD Administrative Manual Chapter 2.16 BIMC Updates.docx](#)

[20190108 Administrative Manual.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

RESOLUTION NO. 2019-02

A RESOLUTION of the City of Bainbridge Island, Washington, amending the Administrative Manual of the Department of Planning and Community Development.

WHEREAS, the Administrative Manual of the Department of Planning and Community Development, adopted in November 2011 (“Administrative Manual”), is designed to be a user-friendly manual that contains submittal requirements and supporting documents for land use permits all in one place; and

WHEREAS, on December 11, 2018, the City Council enacted Ordinance No. 2018-20, which revised Chapter 2.16 BIMC, *Land Use Review Procedures*; and

WHEREAS, the City’s Administrative Manual needs to be updated to reflect the changes approved by Ordinance No. 2018-20.

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

Section 1. The Administrative Manual is amended and revised as shown in Exhibit A attached hereto and made a part hereof.

Section 2. This resolution shall take effect as of the effective date of the resolution provided below.

PASSED by the City Council this ____ day of January, 2019.

APPROVED by the Mayor this ____ day of January, 2019.

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	December 28, 2018
PASSED BY THE CITY COUNCIL:	January ___, 2019
RESOLUTION NO.	2019-02
EFFECTIVE DATE:	January ___, 2019

Exhibit A: Administrative Manual



CITY OF
BAINBRIDGE ISLAND

ADMINISTRATIVE MANUAL

PLANNING PERMIT
REQUIREMENTS

SUBMITTAL

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Introduction

This Administrative Manual is designed to supplement the permit processes described in the land use, zoning, and environmental sections of the City of Bainbridge Island Municipal Code (BIMC). This manual identifies documents that applicants must submit in order to have a complete application for development review and decision. Consistent submissions to the City of Bainbridge Island will help the efficiency of the review process as well as clarifying requirements for applicants. The procedures required for review and approval of each type of application are detailed in Title 2: Administration, Personnel and Land Use Procedures of the BIMC.

The [Master Land Use Application](#) is required to be submitted with each of the land use permits discussed herein. Please see the application for the number of copies for specific permits. A land use permit shall not be considered complete until the required application, [fee](#) and all supporting materials are submitted to the department. The applicant shall submit an electronic copy of all required documents at the time of application submittal. The director may waive specific submittal requirements determined to be unnecessary for review of an application. Most applications also require a separate fee for the Kitsap Health District.

The City's current [Fee Schedule](#) and [Master Land Use Application](#) can be viewed and downloaded from the City's website.

GENERAL SUBMITTAL REQUIREMENTS

Basic Site Plan

The site plan must be legible and easily understood by professionals as well as the public. Clearly differentiate between existing and proposed development. The information to help prepare a site plan is readily available to the public:

City Resources
Municipal Code
Public GIS

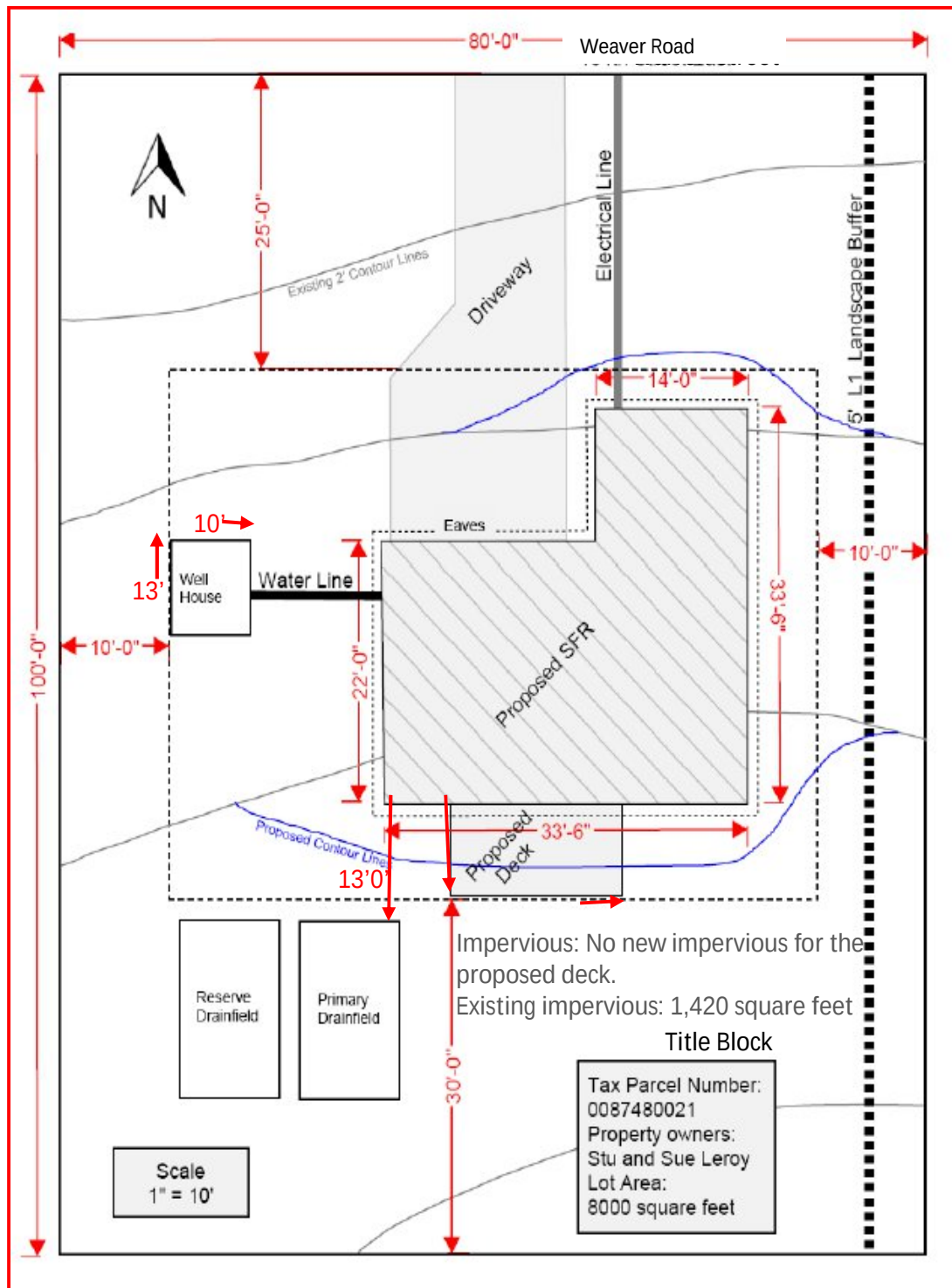
County Resources
Auditor's Records
Assessor Records

Public Health District
Well / Septic Records

- ☐ Plan sheet 18" * 24" or 24" * 36" in size
- ☐ Engineer's scale, for example: 1 inch = 20 feet
- ☐ Title block: Project name; owner name; site address, tax parcel number; subdivision name
- ☐ North arrow
- ☐ Vicinity map
- ☐ Quarter section, township and range
- ☐ Depict the entire property and the area within 150 foot radius of the property
- ☐ Zoning / Comprehensive Plan designation
- ☐ Property boundaries (bold line)
- ☐ Lot size and lot area (BIMC 18.12.050)
- ☐ Easements: Include access, utility, other (e.g. use easements, conservation easements)
- ☐ Zoning setbacks or subdivision setbacks / buffers (as applicable)
- ☐ Contour lines at five foot intervals (existing and proposed)
- ☐ Critical areas and their buffers / setbacks: Label top/toe of slopes greater than 15 percent and top/toe of slopes 40 percent or greater, floodplain, wetlands, streams
- ☐ Aquifer Recharge Protection Area, if required
- ☐ Shoreline jurisdiction: Include OHWM, shoreline structure and side yard setback, shoreline buffer Zones 1 & 2, areas of native vegetation, location and size of significant trees
- ☐ Vegetation protection areas (e.g. "no-build zones", landscape buffers, designated wildlife corridor)
- ☐ Exterior dimensions of all existing and proposed structures: Clearly differentiate between existing and proposed. Label each structure by its use (e.g. garage, landscape / retaining wall, eave, fence, mechanical equipment)
- ☐ Impervious surface areas (existing and proposed): Label and dimension each area (e.g. building, driveway, parking area, patio)
- ☐ Area of disturbance: Area expected to be disturbed by construction and vegetation retention area
- ☐ Stormwater facility: Location / management method (e.g. dispersion, infiltration, detention)
- ☐ Sewer / septic system facility: Include lines, primary and reserve drainfields and setbacks*
- ☐ Water / well facility: Include lines, water meters, well house, well protection area
- ☐ Other facilities: Include power lines, generators, propane tanks, heat pumps, solar

- Historically significant structures on or adjacent to the property (e.g. constructed over 50 years ago or listed on the local or national historic register)
- Access to the property (existing and proposed): Dimension adjacent rights-of-way / access easements and driving surface width. Depict access from a right-of-way, emergency services access, driveways, non-motorized access (e.g. sidewalks, trails) and bus stops.

Sample Site Plan



Utilities Plan

- ☐ Minor (abbreviated) drainage plan for proposals that do not require engineered plans

OR

- ☐ Engineered preliminary drainage plans
- ☐ Engineered preliminary drainage report

AND

- ☐ Plan sheet 18" * 24" or 24" * 36" in size
 - ☐ Engineer's scale, for example: 1 inch = 20 feet
 - ☐ Location of stormwater facilities
 - ☐ Management method (e.g. dispersion, infiltration, detention)
 - ☐ Existing and proposed structures and improvements on the subject property including:
 - ☐ Driveways
 - ☐ Parking areas
 - ☐ Parking space (dimensioned)
 - ☐ Solid waste facility (dimensioned)
 - ☐ Landscape / retaining walls
 - ☐ Fences
 - ☐ Mechanical equipment
 - ☐ Existing and proposed utilities on the subject property including:
 - ☐ Wells / well head protection areas
 - ☐ Water / Sewer lines
 - ☐ Drainfields (primary and reserve)
 - ☐ Septic system setbacks (Health District)
 - ☐ Power lines, utility poles, telecommunication facilities
 - ☐ Existing and proposed structures / utilities within 150 feet of the property including:
 - ☐ Wells / well head protection areas
 - ☐ Water / Sewer lines
 - ☐ Fire hydrants
 - ☐ Adjacent streets
 - ☐ Adjacent right-of-way with road classification
 - ☐ Existing and proposed right-of-way width
 - ☐ Existing driving surface width and type (e.g. gravel, asphalt, pervious concrete)
 - ☐ Roadside facilities (e.g. shoulder, ditch)
 - ☐ Non-motorized facilities width and type (e.g. sidewalks, trails)

Landscape Plan

A Landscape Plan shall be prepared by a landscape architect licensed by the state of Washington, a Washington certified nursery professional or a Washington certified landscaper and a certified arborist (when required) and include the following information at the time of land use permit application. Minimum specifications for the Landscape Plan sheets listed below.

- ☐ Plan sheet 18" * 24" or 24" * 36" in size
 - ☐ Engineer's scale, for example: 1 inch = 20 feet
 - ☐ North arrow
 - ☐ Title block: Project name; site address, tax parcel number;
 - ☐ Property boundaries (bold line)
- A. Tree and Vegetation Retention Plan. The applicant shall submit a tree and vegetation retention plan, concurrent with applicable permit application in order to demonstrate compliance with BIMC Section 18.15.010. If multiple permits are required then the applicant must submit the tree retention plan with the first and all subsequent applications. The tree retention plan may be combined with the planting plan (see section 3 below) and shall consist of:
1. A tree survey or aerial photograph that represents current site conditions and identifies the location of all significant trees, tree stands and their associated canopies. The survey needs to include enough information about existing trees on a property to demonstrate compliance with section BIMC Section 18.15.010.G *Total Site Tree Unit Requirements* (if applicable). New planting may be required to meet these requirements (see section 3 below).
 2. For detailed site plans and grading applications, the tree survey may be conducted by a method that locates individual trees and tree stands, their size(s) and species. These trees shall be marked in the field at the time of permit or approval application and maintained through the construction period; and
 3. A development site plan identifying size and species of the trees and tree stands, as defined in BIMC [18.15.010.C](#), heritage trees, or other existing vegetation that are proposed to be retained.
 4. The International Society of Arboriculture (ISA) valuation for trees:
 - a. Required to be retained for development projects in the R-2.9, R-3.5, R-4.3, R-8, R-14, Mixed Use Town Center (MUTC), High School Road, and Neighborhood Service Center Districts; and
 - b. In all zones where the critical root zone of a tree required to be retained may be impacted by clearing, grading construction, development, or maintenance; and
 5. An analysis prepared by an certified arborist about long-term health and/or viability for trees that will be on the edge of the developed area and "post development" tree health for trees requested for removal in roadside or perimeter buffers. This analysis should also address protection during construction (see below).

6. Protection during construction strategies for trees and vegetation to be retained.
- B. Description of how the tree retention plan and planting plan meet the *Total Site Tree Unit Requirements*, pursuant to BIMC 18.15.010.G, if applicable.
- C. Planting Plan. All plans must be prepared or approved, by a landscape architect licensed by the state of Washington, a Washington certified nursery professional or a Washington certified landscaper. The proposed landscape planting plan shall be clearly legible and show the following:
1. A title that includes the project name, owner's name, designer's name, date and scale of no less than one inch equals 30 feet. All items shall be labeled, and north shall be oriented towards the top or left of the plan;
 2. Property boundaries, easements, and ownership as set forth in the legal description;
 3. Existing and proposed grades of at least five-foot intervals;
 4. Rights-of-way, setbacks, streets and utilities within the subject property;
 5. All proposed construction and planting and any future construction and planting that is not included in the application;
 6. Location of all existing and proposed buildings, structures, utilities and improvements within the property; and
 7. A plant list for all proposed new planting delineating quantities, scientific and common names and sizes. Names of plants are to follow current edition of the Hortus Third, A Concise Dictionary of Plants Cultivated in the U.S. and Canada; and sizes of plants are to follow the current edition of the American Standard for Nursery Stock, American Association of Nurseryman (AAN).
 8. Vegetation clearing strategies;
 9. Topsoil protection and reuse strategies, including limiting compaction during construction;
 10. Native soil amendment strategies;
 11. Planting times and physical limits of construction; and
 12. Areas that require temporary or permanent irrigation.

Consultation

- A. Property location – 14-digit parcel number or site address.
- B. Basic project information.
- C. List of specific questions.
- D. Conceptual site plan (optional).

Zoning Verification Letter

- A. Property location – 14-digit parcel number or site address
- B. Any known previously approved land use applications or permits.
- C. List of specific questions.

Conceptual Proposal Review Meeting

- A. Statement of Intent - Narrative of project sufficient to convey an understanding of the property, the neighborhood, and proposed use.
- B. Context Map - The context map should provide sufficient information to evaluate the neighborhood or community characteristics, including: aerial photo, adjacent recreation, conservation, or other protected land, streetscape photos to illustrate road frontage character/conditions, adjacent and nearby houses or structures, nearby historic or cultural features that contribute to the character of the area, nearby transit routes and stops, and existing or planned transportation facilities as shown in the Islandwide Transportation Plan (IWTP).
- C. Site Analysis - The site analysis shall be a map used to determine the conservation areas, conservation areas of greatest importance, and development areas. The site analysis shall show: general topography, critical areas and their buffers/setbacks, viewsheds on and off site, individual significant trees, extent and location of priority natural area (e.g., forested land, agricultural land, wildlife corridors, etc.), existing infrastructure or other built features, existing easements, existing trails, unique site characteristics, historic resources.

Design Guidance Review Meeting

- A. Schematic Design - This plan is based on the site analysis and context map and shows location, as applicable, of natural area, community space, significant trees to be retained, homesites, vehicle and non-motorized access, location and size of stormwater and septic systems, and lot lines. The proponent is required to bring one or more development concepts or alternatives to indicate possible design options for the site.
- B. For subdivision proposals, Documentation of Four-Step Design Process
 - 1. Delineate Natural Space. The applicant shall prioritize natural resources on the site in terms of their highest to least appropriateness for inclusion in the proposed natural area. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to natural areas on adjoining and neighboring properties, and the applicant's subdivision objectives, natural space shall be delineated in a manner clearly indicating boundaries as well as the types of resources. The amount of natural space required is provided in 17.12 BIMC.

2. Locate Homesites and Community Space. After delineating natural space, homesite areas and community space shall be identified (a “sketch” diagram is acceptable), using the site analysis and context maps produced for the conceptual proposal review meeting as a base map. The amount of community space required is provided in 17.12 BIMC.
3. Define Access. After locating the natural space, homesites, and community space, the access network shall be defined. The access network shall provide a safe, convenient, and efficient system for vehicular, pedestrian and bicycle circulation and minimize impacts on proposed natural space.
4. Draw Lot Lines. Upon completion of the preceding three steps, draw lot lines to delineate the boundaries of individual lots.

C. Additional requirements for Design Review Board preapplication review (see Preapplication Conference, below)

Preapplication Conference

- A. Basic Site Plan
- B. Conceptual Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- C. Conceptual Utilities Plan
- D. Site Assessment Review (SAR) or SAR Exemption
- E. Additional requirements for preapplication review of ~~Short Plats and~~ Subdivisions
 1. Lot area of each existing and resultant lot (BIMC 18.12.050.J)
 2. Proposed covenants or restrictions
 3. Site plan – additional requirements
 - a. Separate sheets depicting existing and resultant conditions
 - b. Zoning and Comprehensive Plan designation for subject and adjacent properties
 - c. Shoreline upland / water environment for subject and adjacent properties
 - d. Proposed method to meet fire flow requirements
 - e. Names and locations of adjacent subdivisions;
 - f. Required roadside landscape buffers
 - g. Flexible Lot Design (Open Space or Cluster): Open space consistent with requirements of BIMC 17.12 or landscape perimeter buffers (BIMC 18.15) and homesite areas

F. Additional requirements for Design Review Board preapplication review (e.g. HDDP, Site Plan and Design Review, and Conditional Use permits)

1. Project vision summary
2. Design Guideline Checklist(s)
3. Conceptual floor plan with estimated commercial and residential square footage
4. Aerial and streetscape photographs with streets and site boundaries labeled
5. Site plan - additional requirements
 - a. Proposed structure footprints
 - b. Proposed structure entrances
 - c. Proposed location and description of mechanical equipment
 - d. Proposed location of trash / recycling structures
 - e. Proposed location of accessory structures
6. Preliminary sections: Transverse and longitudinal site sections extending to adjacent buildings within 100 feet of property; section through the most critical area of the structure(s) with property lines, floor to floor heights, overall height, and spot elevations
7. Preliminary Elevations: Main elevations of each structure and of adjacent structures; material and color selections; mechanical screens and venting locations
8. Optional but strongly recommended
 - a. Renderings: Eye level perspective from major street location; aerial perspective depicting entire project and adjacent buildings in context
 - b. Exterior Lighting Plan: Location and indication of light spillage at night.

Administrative Code Interpretation Request

The director has the authority to provide interpretations of provisions, uses, or definitions in BIMC Titles 16, 17 and 18 and related provisions in BIMC Title 2, and will make these interpretations available to the public. Any person may apply to the director for an interpretation of any provision in these titles. The director shall provide the interpretation taking into account consistency with the comprehensive plan, the nature of the definition or use, and its relationship to the code and its potential impacts, such as:

- A. Whether it involves dwelling units; sales; processing; type of product, storage and amount;
- B. Enclosed or open storage;
- C. Anticipated employment;

- D. Transportation requirements;
- E. Excessive noise, odor, fumes, dust, toxic material, light, glare, and vibration likely to be generated; and
- F. The general requirements for public utilities such as water and sanitary sewer.

The authority to provide an interpretation does not include the authority to add a new permitted (“P”) or conditional (“C”) use to the use table in BIMC 18.09.020. The director’s interpretation is subject to appeal pursuant to BIMC 2.16.020.P.1.

Adjustments to Approved Land Use Permits (Minor & Major)

NOTE: This permit does not apply to subdivisions- see Subdivision Adjustment and Amendment section.

A minor adjustment entails small changes in dimensions or siting of structures or the location of public amenities which does not change the intensity or the character of the use.

A major adjustment include those that modify the basic design, intensity, density and / or use.

- A. Basic Site Plan
- B. Utilities Plan (as applicable)
- C. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- D. Copy of the approved plan (e.g. open space plan, landscaping plan)
- E. Written description of the proposed change, including a detailed analysis of how the change complies with decision criteria of the application used in the first instance;
- F. Authorization of all owners of all lots involved in the change.

Revisions to Land Use Permits

A revision is required when there are proposed changes to a project after the application has been submitted, but has not been approved. This may arise due to differences between the original proposal and application submittals to actual field conditions, or the customer has changed their mind about an aspect of the project. In all cases, a revision to the existing permit must be submitted, reviewed and approved. Please check with your planner prior to submitting revisions, an intake appointment may be required. All submittal requirements applicable to the original application, including number of copies, are required for revisions. Revisions may be subject to additional fees.

- A. Basic Site Plan
- B. Utilities Plan (as applicable)

- C. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- D. Revision documents that clearly identify the proposed change, including a description of the proposed change.
- E. Analysis of how the change complies with decision criteria of the approved application in the first instance (if applicable)
- F. Authorization of all owners of all lots involved in the change.

Zoning Permit Applications

Site Plan and Design Review (Major & Minor)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan
- E. Preapplication conference summary (if applicable)
- F. Public participation meeting summary (if applicable)
- G. State Environmental Policy Act (SEPA) checklist (if applicable)
- H. Terms, conditions, covenants, and agreements under which the subject property is bound
- I. Traffic analysis (if applicable)
- J. Design guideline checklists
- K. Narrative: A complete and detailed written statement describing the proposal, including:
 - 1. Intended use of the land
 - 2. Phasing, including the phasing of on- and off-site improvements
 - 3. Sequence and timing of the proposed development
 - 4. Proposed land ownership
 - 5. Commercial and residential components of the project
 - 6. Addressing the decision criteria per BIMC 2.16.040 E
- L. Documentation of Kitsap Public Health District Concurrent Review, if not on public sewer and water;
- M. Non-binding Water and Sewer availability letters (availability and phasing of system extensions)

- N. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- O. Architectural drawings, including floor plans, uses, building elevations, building sections, and roof plans;
- P. Analysis of how the project meets design guidelines-Design Guidelines Checklists, if applicable;
- Q. Description of proposed stormwater management system and maintenance and operation. See also Utilities Plan.
- R. Description of any facilities planned for public dedication, e.g. sewage disposal system, roads, non-motorized facilities, utility lines and facilities, parks or open space.
- S. Any other graphic materials required to adequately describe how the proposal meets specific regulations and guidelines, such as color palettes, material boards, and computerized models;
- T. For installation of outdoor lighting fixtures, evidence of compliance with the requirements of chapter 18.15.040, Outdoor Lighting, on the architectural elevations or on a form provided by the department of planning and community development.
- U. A survey may be required depending on project complexity; and
- V. Design Review Board (DRB) Final Design Review (as applicable)

The Final Design Review is the last review by the DRB. It is presented after incorporating the recommendations from the Pre-application Project Review and can include other refinements that have occurred to the design. When the planner determines the required exhibits are complete, she will assign a date for the Final Project Review. The purpose of the final project review is to review a proposed project for compliance with applicable design guidelines, and to ensure that the project reflects any revisions recommended by the DRB at the pre-application review based on consistency with applicable design guidelines.

The DRB Design Review Board reviews the application materials electronically member. The DRB comments and recommendations are based on how the exhibits and drawings incorporate or interpret the design guidelines. The applicant will present the project using appropriate size graphics for the whole Board to see, either on minimum 24 x 36 boards or using a projector and screen. Optional but strongly recommended items are so indicated:

1. Final Project Vision Summary, incorporating DRB pre-application comments, and Design Guideline Checklist;
2. Final Context Analysis includes:
 - a. Aerial photo (Google Earth Image is sufficient) and streetscape photos with streets and site boundaries indicated.

- b. Vicinity map showing existing conditions including adjacent structures, uses and zoning.
- 3. Final Sections includes:
 - b. Final transverse and longitudinal sections through the entire site extending 100 feet past the property line to adjacent buildings or buildings across a roadway.
 - b. Final transverse and longitudinal sections through each structure with property lines, floor to floor heights, overall height, and spot elevations noted.
- 4. Final Elevations include:
 - a. Final elevations of each structure including exterior mechanical screens, venting locations and adjacent structures in context.
 - b. Final material board and color notes as needed for clarification.
 - c. Scale figures and transparent street trees or planned landscaping. **OPTIONAL, BUT STRONGLY RECOMMENDED.*
 - d. Shadows should clarify modulation. **OPTIONAL, BUT STRONGLY RECOMMENDED.*
- 5. Final Renderings are **OPTIONAL, BUT STRONGLY RECOMMENDED*
 - a. Eye level perspective renderings from two opposite street locations.
 - b. At least one depicting entire project with adjacent buildings in context
- 6. Final Exterior Lighting Plan includes descriptions, images, color and finish of selected features.
- 7. Any other graphics requested during the Preliminary Site Plan Review.
- 8. Design Review Board (DRB) Final Design Review (as applicable)(see Site Plan and Design Review, above).

Conditional Use Permit (Major & Minor)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan
- E. State Environmental Policy Act (SEPA) checklist (if applicable)
- F. A complete and detailed written statement of the intended use of the land and the sequence and timing of the proposed development

- G. The terms, conditions, covenants, and agreements under which the subject property is bound, if any
- H. Affidavit of ownership or agreement to work on the owner's behalf
- I. Land dedicated for park and recreational facilities, if applicable
- J. For installation of outdoor lighting fixtures, evidence of compliance with the requirements of chapter 18.15.040, Outdoor Lighting
- K. Written statement describing how the application meets all applicable decision criteria
- L. Institutional development in residential zones shall submit the following items:
 - 1. A traffic report, showing the effects on level of service (LOS) on affected roads
 - 2. A fencing plan or alternative methods to protect the public health, safety and welfare
 - 3. Vehicular, pedestrian, and bicycle access and site circulation
 - 4. Commercial/Mixed Use Design Guidelines Checklist BMC [18.18.030.C](#)
- M. Design Review Board (DRB) Final Design Review (as applicable)(see Site Plan and Design Review, above).

Variance (Major & Minor)

- A. Basic Site Plan
- B. State Environmental Policy Act (SEPA) checklist (if applicable)
- C. Terms, conditions, covenants, and agreements under which the subject property is bound
- D. Narrative – A complete and detailed written statement describing the proposal, including:
 - 1. Reason for the variance request
 - 2. Detailed description of how the proposal will meet the decision criteria
 - 3. Visual impacts of proposed structures, including proposed screening

Housing Design Demonstration Project

In addition to any submittal requirements from the underlying land use permitting process, the following additional information is required for a Housing Design Demonstration Project:

- A. Survey prepared by a licensed surveyor, including information showing existing conditions and site information including, but not limited to, topography (contour interval not to exceed 5 feet), an elevation benchmark (located on or within 100 feet of the proposed site), adjacent development, vegetation, utilities, critical areas, property lines, and easements. Whenever possible, survey information should be submitted on City of Bainbridge Island vertical and horizontal datums. All plans must be submitted at an easily reproducible engineering or architectural scale. The survey data should be integrated into all site plans

and elevation drawings related to the project and the source of the survey information shall be noted.

- B. Plans descriptive of drawings of the proposed innovative housing types including building footprints and building elevations, floor plans, and roof plans.
- C. A description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
- D. A description of the required development standards, compared with the standards that relief is being requested. This includes, but is not limited to, setbacks, open space, density, or parking requirements. The applicant should explain how relief from specific development standards is needed to achieve the desired innovative design and the goals of this chapter.
- E. Photographs of the subject and adjacent properties key to the basic site plan.
- F. Landscape Plan.
- G. A detailed description of any project phasing.
- H. A description of how the proposed development is consistent with the surrounding neighborhood character.
- I. A description of how the proposed development complies with the goals of BIMC 2.16.020.Q, project evaluation criteria as described in BIMC 2.16.020.Q, and all relevant decision criteria.
- J. A completed green building checklist from Evergreen Sustainable Development, Living Building Challenge standard of the International Living Building Institute, LEED or BuiltGreen programs that require third party verification review with the requisite four and five star levels.

Sign Permit

- A. Basic Site Plan
 - 1. Position of buildings
 - 2. Landscaped areas
 - 3. Sign configuration
 - 4. Sign size
 - 5. Sign elevation
- B. [Sign Permit Worksheet](#)
- C. Drawing or photo of proposed sign(s) including dimensions and height above ground.
- D. Engineering specifications (if applicable).

Wireless Communication Facility Permit (WCF)

A. Basic Site Plan

1. Additional requirements

- a. Location, elevation and dimensions of existing facility components
- b. Location, elevation and dimensions of proposed facility components
- c. Existing and proposed site grade
- d. Area of ground disturbance for construction activities
- e. Primary viewshed of the proposed WCF
- f. Proposed height
- g. Coverage area at proposed height (may be inset map or on separate sheet)
- h. Inventory of WCF sites in or within a one mile radius of the City that are operated by the applicant

B. Landscape Plan

1. Additional landscape plan information required:

- a. Type and location of vegetation screen of WCF components in viewshed context
- b. Height of vegetation screen at maturity (e.g. monopole/tower 2/3 height screening)
- c. Type and location of topographic or structural screening (e.g. wall, fencing)
- d. WCF paint/camouflage color scheme in viewshed context
- e. Security fencing height, vegetation screening and paint/camouflage screening

C. Detail Drawing

1. Antenna
2. Support structure and any protrusion from the support structure
3. Transmission device
4. Equipment shelter

D. Photo/visual simulations of the proposal from affected properties and public rights-of-way at varying distances

E. Narrative

1. An explanation of the need for the proposed WCF
2. Location priority analysis (e.g. co-location vs. commercial building)

3. Height and design of WCF sites in or within one mile of the City
 4. Impact of proposal on existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
 5. Feasibility of underground location for equipment facilities
 6. Equipment noise evaluation (e.g. dB at nearest property line)
- F. Documentation verifying that the proposed WCF complies with Federal Communications Commission and Federal Aviation Administration regulations
- G. Copy of documentation regarding existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
- H. Additional information required for:
1. Tower modification
 - a. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes including:
 - i. number and types of antennas the tower can support
 - ii. basis for capacity calculation
 - iii. statement that the proposal complies with applicable FCC guidelines and standards
 1. Base station modification
 2. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes
 3. Applications for facilities other than Facility I or II
 - a. Documentation of efforts to co-locate on existing facilities

Wireless Eligible Facilities Modification Permit (EFM)

A. Basic Site Plan

1. Site plan additional requirements
 - a. Location, elevation and dimensions of existing facility components
 - b. Location, elevation and dimensions of proposed facility components
 - c. Area of ground disturbance for construction activities
 - d. Existing and proposed site grade

B. Landscape Plan

2. Additional landscape plan information required
 - a. Type and location of vegetation screen of WCF components in viewshed context
 - b. Height of vegetation screen at maturity (e.g. monopole / tower 2/3 height screening)
 - b. Type and location of topographic or structural screening (e.g. wall, fencing)
 - c. WCF paint / camouflage color scheme in viewshed context
 - d. Security fencing height, vegetation screening and paint/ camouflage screening
- C. Detail Drawing
 1. Antenna
 2. Support structure and any protrusion from the support structure
 3. Transmission device
 4. Equipment shelter
- D. Photo/visual simulations of the proposal from affected properties and public rights-of-way at varying distances
- E. Assertion that the proposal is subject to review under Section 6409 of the Spectrum Act
- F. Impact of proposal on existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
- G. Documentation verifying that the proposed WCF complies with Federal Communications Commission and Federal Aviation Administration regulations
- H. Copy of documentation regarding existing restrictions or requirements (e.g. Conditional Use Permit, Site Plan and Design Review Permit)
- I. Additional information required for:
 1. Tower modification
 - a. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes including:
 - i. number and types of antennas the tower can support
 - ii. Basis for capacity calculation
 - iii. Statement that the proposal complies with applicable FCC guidelines and standards
 2. Base station modification

- a. Structural engineering report demonstrating the modification complies with applicable construction/electrical/safety codes
- 3. Height increase
 - a. Detail record drawings/as-built plans showing the greater of the constructed height or the height approved by the City prior to passage of the Spectrum Act
- 4. Modification involving hardening through structural enhancement
 - a. Geotechnical report demonstrating the enhancement is necessary

Subdivision Applications

Boundary Line Adjustment

- A. Basic Site Plan
- B. Survey drawing
 - 1. Conventional scale and prepared by a surveyor licensed in the State of Washington
 - 2. Separate sheets depicting existing conditions and resultant conditions
 - 3. Zoning and Comprehensive Plan designation
 - 4. Shoreline upland and water environment designations
 - 5. Proposed method to meet fire flow requirements
 - 6. Names and locations of adjacent subdivisions
 - 7. Gross lot size (in square feet) of each existing and resultant lot
 - 8. Lot area of each existing and resultant lot/tract (BIMC 18.12.050.J)
 - 9. Zoning or subdivision setbacks, as applicable
 - 10. Ordinary High Water Mark
 - 11. Required critical areas, their buffers and setbacks
 - 12. Required vegetation buffers
- C. Existing and proposed terms, conditions, covenants, and agreements on the subject property
- D. Perimeter lot closures for each existing and resultant lot
- E. Title report dated not more than six months prior to application
- F. Property legal description
- G. Draft agreements (e.g. use easement, road maintenance agreement)

- H. Water and sewer availability letters (public water/sewer) for each resultant lot
- I. Other technical reports (as applicable): Wetland delineation and report or wetland determination; Geotechnical report/assessment

Preliminary Subdivision (Short/ Long /Large Lot)

- A. Basic Site Plan
- B. Utilities Plan
- C. Site Assessment Review (SAR) or SAR Exemption
- D. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- E. Preliminary Plat
 - 1. Conventional scale and prepared by a surveyor licensed in the State of Washington
 - 2. Separate sheets depicting existing conditions and resultant conditions
 - 3. Zoning and Comprehensive Plan designation
 - 4. Shoreline upland and water environment designations
 - 5. Proposed method to meet fire flow requirements
 - 6. Names and locations of adjacent subdivisions
 - 7. Gross lot size (in square feet) of each existing and resultant lot
 - 8. Area (in square feet) dedicated to open space (if applicable)
 - 9. Lot area of each existing and resultant lot / tract (BIMC 18.12.050.J)
 - 10. Flexible lot setbacks
 - 11. Required critical areas, their buffers and setbacks
 - 12. Aquifer Recharge Protection Area, if required
 - 13. Required roadside landscape buffers
 - 14. Proposed Flexible Lot Design (Open Space or Cluster)
 - a. Proposed lot lines and homesite locations
 - b. Open space areas or landscape perimeter buffers
- F. State Environmental Policy Act (SEPA) checklist (if applicable)
- G. Existing and proposed terms, conditions, covenants, and agreements on the subject property
- H. Preapplication conference summary letter
- I. Perimeter lot closures for each existing and resultant lot
- J. Title report dated not more than six months prior to application
- K. Property legal description
- L. Draft agreements (e.g. Open Space Management Plan, road maintenance agreement)
- M. Non-binding water and sewer availability letters (for public water / sewer) for each lot
- N. Traffic impact analysis/application for traffic concurrency or concurrency statement
- O. Other technical reports (as applicable):

1. Wetland delineation and report or wetland determination
 2. Geotechnical report/assessment
 3. Shoreline Site Specific Analysis
 4. DNR Forestry permit
 5. Habitat Management Plan
- P. Other special submittal requirements identified in the pre-application conference summary

Plat Utility Permit (All Subdivisions)

Construction plan submittal requirements to obtain a plat utility permit for civil improvements associated with a short- or long-subdivisions are found in [City of Bainbridge Island Design and Construction Standards manual](#). The plan requirements and definitions differ from those in the administrative manual. Please review the specific requirements with the assigned City project engineer for large/complex projects.

- A. Construction Plans - Full-scale drawings on 24-inch by 36-inch paper with margins set to provide half-scale drawings on 11-inch x 17- inch paper.

General Plan Requirements:

- ☐ North shall be shown up or to the left on the plans, and in no case will north be shown in opposing directions on the same or connecting sheets.
- ☐ A vicinity map shall be located on the drawing. The scale shall be 1 inch = 1000 feet and with an approximate one square mile with the project site approximately centered. A scale at least 1 inch long shall be drawn on the map. A North arrow shall be on the map. The site address shall be shown below the vicinity map.
- ☐ City datum with city-established benchmark (BM) number and elevation. BM information is available from the city's right-of-way specialist.
- ☐ A detailed description of the site, including lot number, quarter section, township and range, unless otherwise noted by the city engineer.
- ☐ Current zoning of site and of adjacent properties.
- ☐ Lot size(s) with perimeter distances and bearings of the site shown on the plan.
- ☐ Project name in the title block.
- ☐ Owner/developer name, address, and phone number in the title block.
- ☐ Design engineer's name, address, and phone number in the title block.
- ☐ Boundary and topographic survey of existing conditions with a contour interval of no less than 5 feet (no less than 10 feet for Large Lot Subdivisions).
- ☐ Proposed and existing rights-of-way and easements shall be clearly identified and dimensioned. New public utility easements shall be a minimum of 20 feet in width. Utilities shall be centered in the easement. Show Kitsap County recording numbers for all existing easements.
- ☐ All pertinent existing and finish elevations.

- ☐ Existing natural drainage ways such as swales, ditches, etc. Path of flow with arrows and elevations.
- ☐ Lakes, rivers, streams, flood plains, wetlands, sensitive slopes, and other sensitive areas.
- ☐ Limits and elevations of 100-Year Floodplain, including delineation of the floodway and flood fringe.
- ☐ General plan notes consistent with the Standards shall be shown on the plan.

On-site plans for private property improvements shall have vertical scale of one inch equals 5 feet and horizontal scale of one inch equals 50 feet. Profiles, where required, may be drawn on plan sheets.

Off-site plans for public dedication of improvements (i.e. water, sewer, storm drainage, and streets) shall have a vertical scale of one inch equals 5 feet and horizontal scale of one inch equals 40 feet. All off-site plans shall have the corresponding plan/profiles on the same sheet.

Five copies of the construction drawing set are required.

A digital set in PDF or TIFF format shall be included with the application.

See the applicable Standards for plan requirements in the DCS Manual or the applicable zoning code requirements.

Plans may be incorporated on the same sheet where clarity is not affected.

Specific Plan Requirements:

- ☐ Preliminary conditions of approval.
- ☐ Grading, Drainage, and Erosion and Sediment Control (GDESC) Plan.
- ☐ Street plan or plat road plan.
- ☐ Parking plan.
- ☐ Utility plan (water, sewer, and dry/franchise utility location and coordination).
- ☐ Significant tree/tree retention plan.
- ☐ Open space management plan, where applicable.
- ☐ Landscaping plan.

B. Reports and Supporting Documentation/Calculations

- ☐ Stormwater management report consistent with BIMC 15.20 and the current adopted Stormwater and Low Impact Development manuals.
- ☐ Drainage design calculations.
- ☐ Soil logs and infiltration rate determination, where applicable.
- ☐ Geotechnical report, where applicable.
- ☐ Domestic (multi-family), commercial and fire flow calculations.
- ☐ Sewer conveyance calculations.

C. Facilities (Water, Sewer, Storm Water and Streets) Extension Agreement Application

- ☐ Application shall indicate whether a latecomer reimbursement will be requested.
- ☐ Drawings shall be submitted showing generally the proposed location, type, and size of the utility or street improvements.

The extension agreement application shall be completed by the owner and submitted with the applicable processing fee consistent with BIMC 13.32.

Final Short Plat/Subdivision

- A. Plat Utilities Plan (engineered drainage plan / report or minor plan as applicable)
- B. Landscape Plan (as applicable). Proposed landscaping as required by BIMC 18.15.010, including any required retention.
- C. Final Plat, as modified by conditions of approval

- 1. Applicable plat conditions of approval
- 2. Ties to permanent monuments
- 3. Controlling reference points or monuments
- 4. Bearing and length of lines
- 5. Origin of meridian or basis of bearings

- 6. Surveyor's certificate signed by the surveyor who prepared the final plat:

"I, _____, registered as a professional land surveyor by the State of Washington, certify that this Subdivision is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of _____, 20__, through _____, 20__, that the distances, courses, and angles shown hereon correctly; and the lot corners have been staked on the ground as depicted hereon."

- 7. Disclaimer regarding road maintenance:

"Responsibility and expense for maintenance of streets serving lots within this short plat/subdivision shall rest with the lot owners unless such roads have been accepted by the City."

- 8. If plat improvements are assured, a prominent note on the face of the final plat:

"The lots created by this plat are subject to conditions of an assurance device held by the City for the completion of certain necessary facilities. Building permits may not be issued and/or occupancy may not be allowed until such necessary facilities are completed and approved by the City of Bainbridge"

Island. All purchasers shall satisfy themselves as to the status of completion of the necessary facilities.”

9. Signature and date lines for the City Planning Director
10. Signature and date lines for certification by the County Treasurer
11. Signature and date lines for the Health District
12. Declaration regarding further subdivision:

“Land in a short subdivision may not be further divided through a short plat within a period of five years recording the final short without meeting the standards of and being reviewed as a long subdivision.”

- D. Statement of compliance listing the plat conditions and how each condition is met
- E. Perimeter lot closures for each existing and resultant lot
- F. Title report dated not more than six months prior to application
- G. Binding water and sewer availability letters (for public water/sewer) for each lot
- H. Final agreements (e.g. Open Space Management Plan, road maintenance agreement)
- I. Estimate approved by the City for financial assurance of plat improvements

Subdivision Alteration/Amendment

- A. Proposed plat alteration/amendment
- B. Narrative including a description of the proposed change and a detailed analysis of how the change complies with decision criteria of the application used in the first instance;
- C. A copy of the existing final plat
- D. A copy of the open space management plan, as applicable;

Environmental and Critical Area Permits

Tree Removal/Vegetation Maintenance Permit

- A. Basic Site Plan
- B. Trees and vegetation proposed to be removed (also show on Basic Site Plan)
- C. Size (diameter breast height [dbh]) of trees to be removed (Required only for commercial, institutional, multifamily, and mixed use development and any properties in Mixed Use Town Center, High School Road, R-2.9, R-3.5 and R-4.3 zones. Also show on Basic Site Plan)

- D. Site Assessment Review (SAR) or Exemption (if applicable)
- E. Erosion control methods, drainage information or plan, pursuant to BIMC 15.20 (if applicable).
- F. Planting plan (see Landscape Plan section above) if tree removal brings a property below applicable tree unit requirements (see BIMC Section 18.15.010.G) or is proposed within required open space, vegetation buffers (e.g. landscape buffers, no-cut buffers), or any other trees required to be retained through an approved land use permit. Planting plan should ensure that property continues to meet any applicable tree requirements.

Farm Management Plan

In order to exceed maximum animal density allowances provided for in BIMC 18.09.030, a farm management plan approved by the City, its designee, or a qualified third party must be implemented and maintained. The farm management plan shall contain the following:

- A. Basic site plan, with the following additional information
 - 1. Adjacent residences
 - 2. location and area of all pasture area(s), shelter structure(s), compost and manure storage,
- B. Description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;
- C. Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;
- D. Emergency response plan and emergency response contacts
- E. Description of the potential impacts of animal agriculture and use of applicable National Resource Conservation Service (NRCS) conservation practice standards or equivalent measures to mitigate impacts, including:
 - 1. Water Quality and Soils. Impacts of irrigation run-off on adjacent properties, water bodies and environmentally critical areas, and proposed sediment and erosion control measures.
 - 2. Noise and Odor. Impacts related to the location on the lot of the animal pasture and shelter, any trash or compost storage areas, any farm stand or additional accessory structure, and any other noise-generating or odor-generating equipment and practices.
 - 3. Agricultural Chemicals. Impacts related to the use of chemicals, including any manure, fertilizer and pesticide.
 - 4. Mechanical Equipment. Impacts related to the operation of equipment, including noise, odors, and vibration.
 - 5. Traffic and Parking. Impacts related to the number of staff onsite during work hours, and the number of potential visitors regularly associated with the site.

6. Visual Impacts and Screening. Visual impacts relating to the proposed nature, location, design, and size of proposed features, structures and activities, including the location of pasture, composting activities and manure storage, and any existing or proposed screening.

Agricultural Retail Plan

- A. Basic Site Plan including a delineation of specific use areas (pasture, heavy use area, etc.).
- B. Farm Management Plan, if required pursuant to BIMC 18.09.030.A.1.
- C. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.

Reasonable Use Exception

- A. Basic Site Plan
- B. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- C. Critical Area Report. A critical areas report including mitigation plan, if necessary, prepared in accordance with applicable state and federal agency standards. Such studies shall be prepared in accordance with the requirements in BIMC 16.20.180 – Critical area reports by qualified professionals in the area of concern as provided in BIMC 16.20.190 – Definitions;
- D. Any other relevant information and reports that are necessary, in the opinion of the director, to process and prepare the recommendation on the application, such as permit applications to other agencies and special studies;
- E. An environmental checklist when required by the State Environmental Policy Act and BIMC [16.04](#);
- F. Other plans and drawings deemed necessary by the director for evaluation of the merits of the proposal; and
- G. A complete and detailed written statement of the reason(s) for requesting the reasonable use exception including a detailed description of how the proposal will meet the reasonable use exception criteria as defined in BIMC 16.20.080;
 1. The application of Chapter 16.20 would deny all reasonable use of the property;
 2. There is no reasonable alternative to the proposal with less impact to the critical area or its required buffer;
 3. The proposal minimizes the impact on critical areas in accordance with mitigation sequencing (BIMC 16.20.030);

4. The proposed impact to the critical area is the minimum necessary to allow reasonable use of the property;
 5. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant, or of the applicant's predecessor, that occurred after February 20, 1992;
 6. The proposed total lot coverage does not exceed 1,200 square feet for residential development;
 7. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the property;
 8. Any alterations permitted to the critical area are mitigated in accordance with mitigation requirements applicable to the critical area altered;
 9. The proposal protects the critical area functions and values consistent with the best available science and results in no net loss of critical area functions and values;
 10. The proposal addresses cumulative impacts of the action; and
 11. The proposal is consistent with other applicable regulations and standards.
- H. A copy of the pre-application conference summary letter.

Buffer Enhancement Plan

- A. Basic Site Plan
- B. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- C. Buffer Enhancement Plan. A buffer enhancement plan prepared in accordance with applicable state and federal agency standards and the requirements in BIMC 16.20.180 – Critical area reports by qualified professionals in the area of concern as provided in BIMC 16.20.190 – Definitions;
- D. Any other relevant information and reports that are necessary, in the opinion of the director, to process and prepare the decision on the application, such as permit applications to other agencies and special studies;
- E. An environmental checklist when required by the State Environmental Policy Act and BIMC 16.04; and
- F. Other plans and drawings deemed necessary by the director for evaluation of the merits of the proposal.

Critical Area Permits (Minor and Major)

All applications for critical area permits shall include a Basic Site Plan. Additional submittal requirements for critical area permits are contained within the Critical Areas Ordinance and will vary depending on the type of critical area. Specific submittal requirements are described in each of the following sections of BIMC 16.20:

- Trees and vegetation – BIMC 16.20.090.G (minor)
- Critical aquifer recharge areas – BIMC 16.20.090.B.3 (minor)
- Fish and wildlife habitat conservation areas – BIMC 16.20.110.D and F (minor or major)
- Geologically hazardous areas – BIMC 16.20.130.C (minor)
- Wetlands – BIMC 16.20.140.F (minor or major)
- Winslow Ravine – BIMC 16.20.150.C (major)

Any required reports, studies, plans or letters shall be prepared in accordance with applicable state and federal agency standards and the requirements in BIMC 16.20.180 – Critical area reports by qualified professionals in the area of concern as provided in BIMC 16.20.190 – Definitions.

Applications for major critical area permits shall also include:

- A. The terms, conditions, covenants, and agreements under which the subject property is bound, if any;
- B. A written narrative describing how the proposal meets the critical area permit review criteria as defined in BIMC 16.20.070.B;
- C. Any other relevant information and reports that are necessary, in the opinion of the director, to process and prepare the decision on the application, such as permit applications to other agencies and special studies;
- D. An environmental checklist when required by the State Environmental Policy Act and BIMC [16.04](#); and
- E. Other plans and drawings deemed necessary by the director for evaluation of the merits of the proposal.

Shoreline Master Program Application Submittal Requirements

Shoreline Clearing Permit

A. Basic Site Plan, including:

1. Species and location of trees or other vegetation proposed to be removed

2. Size (dbh) of trees to be removed
3. Area (square feet) of canopy coverage to be removed. Canopy coverage includes trees and shrubs.
4. Erosion control methods, drainage information or plan, pursuant to BIMC 15.20

B. Supplemental materials, as applicable:

1. Arborist report, for removal of hazard trees, or any vegetation removal within geologically hazardous areas or buffers/setbacks
2. Geotechnical report, for any vegetation removal within geologically hazardous areas or buffers/setbacks

C. Replanting plan, including:

1. Species, size, quantity, and location of trees or other vegetation proposed to be planted

The following requirements apply to all SMP applications:

Shoreline Exemption

Shoreline Substantial Development Permit

Shoreline Conditional Use Permit

Shoreline Variance

A. Basic Site Plan, with the following additional information:

1. Location of Ordinary High Water Mark (OHWM);
2. Location of Shoreline Buffer;
3. Location of Shoreline Structure View Setback;
4. Shoreline dimensional setbacks;
5. Location of native vegetation and significant trees;
6. If structures have any attachments (e.g. deck, balcony, etc.), include elevation drawings and calculations of grade
7. For overwater structures or development: littoral boundaries and elevation drawings with tidal elevations development
8. For mooring buoys the following additional information:
 - a. Location of proposed buoy with latitude and longitude coordinates and swing circle;
 - b. Location of surrounding buoys, floats, or docks;
 - c. Distance measurement of proposed buoy to surrounding buoys, floats, or docks.

B. No Net Loss Documentation

All shoreline development, use and activities, regardless of whether a permit is required, must result in no net loss of ecological functions and processes necessary to sustain shoreline resources. To demonstrate that the no net loss standard is met, and applicant must either:

1. Use the [Standard Single-Family Residential Mitigation Manual](#) -- Submit the checklist and supporting documents with your application; or
2. Submit a [Site-specific Analysis](#) -- The site-specific analysis must be completed by a qualified professional. Submit the site-specific analysis with your application.

C. Additional Documents

Depending on existing site conditions and proposed development activities, your application may require additional reports and/or studies to identify and assess potential project impacts. These include:

1. Wetland delineation and categorization (See BIMC 16.12.060.L)
2. Geotechnical Report (See BIMC 16.12.060.K)
3. Bluff Management Plan (See BIMC 16.12.060.K)
4. Utilities Plan
5. Site Assessment Review (SAR) or SAR Exemption
6. State Environmental Policy Act (SEPA) Checklist
7. Shoreline Stabilization Projects have additional submittal requirements listed in the City's Shoreline Master Program Section 6.2.10
8. For Mooring Buoys, with the following additional information:
 - a. Cross-Sectional View Worksheet
 - b. Proof of submittal of site plan with latitude and longitude coordinates, vicinity map, and cross-sectional view worksheet to the Suquamish Tribe.
 - i. Copy of notification e-mail sent to Alison O'Sullivan, Biologist, Suquamish Tribe is acceptable (aosullivan@suquamish.nsn.us).
 - c. Name and contact information of the diver/biologist qualified to install an embedment style anchor
 - i. An aquatic vegetation dive survey is required if a surface style anchor is proposed (Concrete block, Danforth, etc.)
 - d. Depending on the location of the buoy, your application may require additional submittal documents. These include:

- i. State Environmental Policy Act (SEPA) Checklist: Required only if placement location is not on Department of Natural Resources leased land
- e. Signed copy of Attachment E: Aquatic Use Authorization on Department of Natural Resources (DNR)- managed aquatic lands. This form must be submitted to and signed by DNR prior to making application to the City. Please note that Attachment E is not required for buoys that are proposed to be installed on privately held tidelands.
- i. Attachment E must include DNR signature at time of submittal to the City to verify that DNR has been notified of the proposed buoy location. Attachment E is submitted to DNR along with a Joint Aquatic Resources Permit Application (JARPA)

Attachment E and the JARPA form can be found here:

http://www.epermitting.wa.gov/site/alias__resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx

D. Decision Criteria

Applications for shoreline variances and shoreline conditional use permits must include a narrative explaining how the project meets the decision criteria, provided in BIMC Section 2.16.165.

Legislative Applications Submittal Requirements

Legislative Review of Development Regulations

An application and fee as established by city council resolution shall be made on forms prescribed by the department. The application shall contain the following:

- A. A complete and detailed written statement explaining the existing regulations and proposed changes (including specific language, if possible);
- B. A detailed description of how the proposal meets the goals and policies set forth in the Comprehensive Plan; and
- C. A completed SEPA checklist including supplemental sheet for nonproject actions (if applicable); and
- D. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.

Rezoning (Site-specific and Area-wide)

A rezone application and fee as established by city council resolution shall be made on forms prescribed by the department. The application shall contain the following:

- A. A complete and detailed written statement explaining how the subject property is suitable for the proposed rezone and why the rezone would not be detrimental to surrounding land uses.
- B. A map that shows address topography, streets, adjacent land uses, utilities and other pertinent factors that would justify the proposed rezone;
- C. A detailed description of the proposed use for which the rezone is sought and how such action meets the decision criteria in BIMC 2.16.140;
- D. A legal description of the property(ies) and tax lot number(s);
- E. The names and addresses of all property owners; and
- F. Any other materials the department or the reviewing body determines are required to adequately describe the proposal.
- G. A completed SEPA checklist including supplemental sheet for nonproject actions.

Comprehensive Plan Amendment

A comprehensive plan amendment application and fee as established by city council resolution must include the following:

- A. A complete and detailed written statement including the nature of and reason for the amendment request, any specific suggested changes to the plan or appendices;
- B. A description of how the amendment request is consistent with all of the decision criteria specified in BIMC 2.16.190.H;
- C. A completed SEPA checklist including supplemental sheet for nonproject actions; and
- D. Any other reports or studies identified during the preapplication conference. (Ord. 2006-13 § 4, 2006)

Appendices

SMP Submittal Requirements for Site Specific Analysis

The Site Specific Analysis can be viewed on the City's website:

<http://www.bainbridgewa.gov/DocumentCenter/View/7306>

Single-family Residence Shoreline Mitigation Manual

The Single-family Residence Shoreline Mitigation Manual can be viewed on the City's website:

<http://www.bainbridgewa.gov/DocumentCenter/View/5663>

Sign Permit Worksheet

The Sign Permit Worksheet can be viewed on the City's website:

<http://www.bainbridgewa.gov/DocumentCenter/View/7408>

Suggested Landscape Materials Matrix

The table below provides a list of suggested plant materials recommended for use on Bainbridge Island. Additional plants may be added to this list as deemed appropriate by the department. Plants shall be selected based upon site-specific conditions that may affect plant growth such as sun exposure, soil types, shoreline conditions, adjacent site improvements, etc. Plant material selection shall be coordinated with utility company requirements to avoid conflicts.

Plant Materials Matrix									
Suggested Species			Type of Area or Need						
			Parking lot trees						
			Landscape buffer areas						
			Critical areas – Uplands						
			Critical areas – Wetlands/streams						
			Native species						
			Drought resistant						
			Shoreline						
Large deciduous trees			Near utility lines						
Acer macrophyllum	Bigleaf Maple			X	X	X			
Acer rubrum species	Red Maple variety		X	X				X	
Acer saccharum	Sugar Maple		X	X					
Acer platanoides species	Norway Maple variety		X	X				X	
Alnus oregona	Red Alder			X	X	X	X		
Fagus sylvatica	European Beech		X				X	X	
Fraxinus latifolia	Oregon Ash			X	X	X			
Ginkgo biloba 'Sentry'	Columnar Maidenhair		X				X		
Liquidambar styraciflua	American Sweet Gum		X	X			X	X	

Plant Materials Matrix										
Suggested Species				Type of Area or Need						
				Parking lot trees						
				Landscape buffer areas						
				Critical areas – Uplands						
				Critical areas – Wetlands/streams						
				Native species						
				Drought resistant						
				Shoreline						
				Near utility lines						
Liriodendron tulipifera	Tulip Tree	X								
Platanus x acerifolia	London Plane	X								
Populus trichocarpa	Black Cottonwood			X	X					
Quercus species	Oak variety	X	X				X			
Quercus robur 'Fastigiata'	Upright English Oak	X	X				X	X		
Quercus rubra species	Eastern Red Oak	X	X				X			
Salix species	Willow variety				X	X		X		
Tilia cordata	Littleleaf Linden	X	X					X		
Medium deciduous trees										
Acer campestre	Hedge Maple	X					X		X	
Betula species	Birch variety	X								
Carpinus betulus	European Hornbeam	X	X				X	X		
Cercidiphyllum japonicum	Katsura Tree	X								
Cornus species	Dogwood variety			X		X	X			
Fraxinus pennsylvanica 'Marshall'	Marshall's Seedless Ash	X	X				X			

Plant Materials Matrix

Suggested Species			Type of Area or Need									
			Parking lot trees									
			Landscape buffer areas									
			Critical areas – Uplands									
			Critical areas – Wetlands/streams									
			Native species									
			Drought resistant									
			Shoreline									
			Near utility lines									
Populus tremuloides	Quaking Aspen				X	X						
Prunus species	Flowering Cherry variety	X	X					X	X			
Pyrus calleryana species	Flowering Pear variety	X	X					X				
Zelkova serrata ‘Village Green’	Sawleaf Zelkova	X	X									
Small deciduous trees												
Acer circinatum	Vine Maple		X	X	X	X					X	
Acer davidii	David Maple		X									
Acer ginnala	Amur Maple	X	X							X	X	
Acer palmatum	Japanese Maple		X								X	
Amelanchier species	Serviceberry variety		X	X	X	X					X	
Carpinus species	Hornbeam variety	X	X					X	X			
Cornus florida	Eastern Dogwood		X								X	
Cornus kousa	Kousa Dogwood	X	X								X	
Corylus cornuta californica	Western Hazelnut		X	X			X	X			X	
Crataegus species	Hawthorn variety		X	X			X	X	X	X		

Plant Materials Matrix

Suggested Species			Type of Area or Need									
			Parking lot trees									
			Landscape buffer areas									
			Critical areas – Uplands									
			Critical areas – Wetlands/streams									
			Native species									
			Drought resistant									
			Shoreline									
			Near utility lines									
Magnolia species	Magnolia variety		X	X					X	X		
Malus species	Flowering Crabapple		X						X			
Prunus species	Flowering Cherry Plum		X					X	X	X		
Rhus typhina	Staghorn Sumac		X	X		X	X		X			
Styrax japonica	Japanese Snowball		X						X			
Evergreen trees												
Abies grandis	Grand Fir		X	X		X						
Cedrus deodara	Deodar Cedar		X					X	X			
Chamaecyparis lawsoniana	Port Orford Cedar		X	X		X	X	X				
Chamaecyparis nootkatensis	Alaska Cedar		X	X		X	X	X				
Calocedrus decurrens	Incense Cedar		X									
Picea sitchensis	Sitka Spruce		X		X	X		X				
Pinus contorta	Shore Pine		X	X	X		X	X	X			
Pinus contorta latifolia	Lodgepole Pine		X					X	X			
Pinus densiflora	Japanese Red Pine		X					X				

Plant Materials Matrix										
Suggested Species			Type of Area or Need							
			Parking lot trees							
			Landscape buffer areas							
			Critical areas – Uplands							
			Critical areas – Wetlands/streams							
			Native species							
			Drought resistant							
			Shoreline							
			Near utility lines							
Pinus monticola	Western White Pine		X	X		X	X			
Pinus nigra	Austrian Black Pine		X	X				X	X	
Pinus ponderosa	Ponderosa Pine		X				X			
Pinus sylvestris	Scotch Pine		X	X				X	X	
Pinus thunbergii	Japanese Black Pine		X					X	X	
Pseudotsuga menziesii	Douglas Fir		X	X		X	X	X		
Sequoiadendron sempervirens	Coastal Sequoia		X					X		
Taxus brevifolia	Western Yew		X		X	X		X		
Thuja plicata	Western Red Cedar		X		X	X				
Tsuga heterophylla	Western Hemlock		X		X	X	X			
Deciduous shrubs										
Amelanchier alnifolia	Western Serviceberry		X	X	X	X		X		
Berberis species	Barberry variety		X					X		
Callicarpa japonica	Japanese Beautyberry		X							
Cornus stolonifera	Red-Osier Dogwood		X	X	X	X		X		

Plant Materials Matrix										
Suggested Species			Type of Area or Need							
			Parking lot trees							
			Landscape buffer areas							
			Critical areas – Uplands							
			Critical areas – Wetlands/streams							
			Native species							
			Drought resistant							
			Shoreline							
			Near utility lines							
Enkianthus campanulatus	Red-Veined Enkianthus		X							
Elaeagnus species	Elaeagnus variety		X				X	X		
Euonymus alata 'Compacta'	Winged Eonymus		X					X		
Hamamelis mollis	Chinese Witch Hazel		X							
Holodiscus discolor	Ocean Spray			X	X	X	X	X		
Hydrangea lacecap varieties	Lacecap Hydrangea		X							
Potentilla fruticosa	Potentilla		X				X	X		
Physocarpus capitatus	Pacific Ninebark				X	X				
Rhamnus purshiana	Cascara Sagrada			X	X	X				
Ribes sanguineum	Red-Flowering Currant			X	X	X				
Rosa nutkana	Nootka Rose			X	X	X		X		
Rosa rugosa	Rugosa Rose		X				X	X		
Rubus parviflorus	Thimbleberry		X	X	X	X				
Rubus spectabilis	Salmonberry		X	X	X	X		X		
Salix species	Willow variety				X	X		X		

Plant Materials Matrix										
Suggested Species				Type of Area or Need						
				Parking lot trees						
				Landscape buffer areas						
				Critical areas – Uplands						
				Critical areas – Wetlands/streams						
				Native species						
				Drought resistant						
				Shoreline						
				Near utility lines						
Sambucus racemosa	Red Elderberry			X	X	X		X		
Spiraea species	Spiraea variety				X	X	X	X		
Symphoricarpos albus	Snowberry			X		X	X			
Syringa vulgaris cultivars	Lilacs		X					X		
Vaccinium parvifolium	Red Huckleberry				X	X				
Viburnum x burkwoodii	Burkwood Viburnum		X					X		
Evergreen shrubs										
Arbutus unedo	Strawberry Tree		X				X	X	X	
Cotoneaster species	Cotoneaster variety		X				X	X		
Ilex crenata	Japanese Holly		X							
Kalmia latifolia	Mountain Laurel		X							
Ligustrum japonicum	Japanese Privet		X							
Myrica californica	Pacific Wax Myrtle		X	X	X	X	X	X		
Umbellularia californica	California Bay Laurel		X	X			X	X	X	
Osmarea x burkwoodii	Burkwood Osmarea		X				X			

Plant Materials Matrix										
Suggested Species				Type of Area or Need						
				Parking lot trees						
				Landscape buffer areas						
				Critical areas – Uplands						
				Critical areas – Wetlands/streams						
				Native species						
				Drought resistant						
				Shoreline						
				Near utility lines						
Osmanthus delavayi	Delavay Osmanthus			X				X	X	
Photinia frazeri	Japanese Photinia			X				X	X	
Pieris floribunda	Mountain Pieris			X				X		
Pieris japonica	Japanese Pieris			X				X		
Prunus lusitanica	Portuguese Laurel			X				X		
Pinus mugo	Mugho Pine			X				X	X	
Rhododendron species and hybrids	Rhododendrons and Azaleas			X	X		X		X	
Vaccinium ovatum	Evergreen Huckleberry			X	X	X	X		X	
Viburnum sinus species	Laurustinus variety			X				X	X	
Cornus alba 'Sibirica'	Siberian Dogwood									
Groundcovers										
Arctostaphylos uva-ursi	Kinnikinnick			X	X		X	X	X	
Berberis nervosa	Cascade Mahonia			X	X		X	X		
Calluna vulgaris	Scotch Heather			X				X		

Plant Materials Matrix										
Suggested Species			Type of Area or Need							
			Parking lot trees							
			Landscape buffer areas							
			Critical areas – Uplands							
			Critical areas – Wetlands/streams							
			Native species							
			Drought resistant							
			Shoreline							
			Near utility lines							
Ceanothus gloriosus	Point Reyes Ceanothus		X				X	X		
Cotoneaster microphyllus 'Cochleatus'	Rockspray Cotoneaster		X				X	X		
Erica carnea	Winter Heath		X				X			
Erica x darleyensis	Mediterranean Heather		X							
Euonymus fortunei	Winter Creeper Euonymus		X				X			
Gaultheria shallon	Salal		X	X	X	X	X	X		
Hypericum calycinum	St Johnswart		X				X			
Ilex crenata varieties and cultivars	Japanese Holly		X							
Mahonia species	Mahonia variety		X				X			
Pachysandra terminalis	Japanese Spurge		X				X			
Sarcococca hookerana	Sarcococca		X							
Vinca minor	Periwinkle		X				X	X		
Source: Hough, Beck & Baird Inc.										



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:40 PM) Resolution No. 2019-01 to Update the City Fee Schedule - Finance,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Finance & Administrative Services

RECOMMENDED MOTION:

I move to forward Resolution 2019-01, Updating the City's Fee Schedule, to the Consent Agenda on January 22, 2019.

SUMMARY:

This resolution incorporates a number of previously-approved changes to the fee schedule or recent changes imposed by outside governmental bodies. This resolution does not implement any new fees.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND:

This resolution incorporates a number of recent Council approved fee changes, or recent changes imposed by outside governmental bodies, as follows:

1. The FBI has increased its portion of the concealed weapon permit fee by \$1.25 from \$12.00 to \$13.25.
2. Outdoor burning permits are processed by the Fire Department. The fee schedule needs to reflect a recent decision to not charge for these permits.

3. The State Building Code Council has increased its building permit fees and the fee schedule needs to reflect this change.
4. There are changes to clearing land permits as a result of Resolution No. 2018-35 that necessitate the removal of the no charge land clearing permit from the fee schedule.
5. The City's Storm and Surface Water Management (SSWM) fee is increased from \$184.00 to \$190.07 per impervious surface unit (ISU) in accordance with Ordinance No. 2017-22, which increases the City's SSWM fee by the Seattle June-June CPI-U in each year from 2018 through 2022.

ATTACHMENTS:

[Resolution No. 2019-01 - Amending Fee Schedule](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

RESOLUTION NO. 2019-01

A RESOLUTION of the City Council of Bainbridge Island, Washington, amending the City's Fee Schedule to reflect previously-approved changes to the Fee Schedule or recent changes imposed by outside governmental bodies.

WHEREAS, the City of Bainbridge Island periodically updates the Fee Schedule to reflect City Council actions and the actual cost to the City of various services in accordance with state law; and

WHEREAS, the U.S. Federal Bureau of Investigation has increased its fee for concealed pistol permits by \$1.25 from \$12.00 to \$13.25; and

WHEREAS, outdoor burning permits are processed by the Bainbridge Island Fire Department (BIFD) and the Fee Schedule needs to reflect a recent decision between the City and the BIFD to not charge for these permits; and

WHEREAS, the City collects and remits to the Washington State Building Code Council (SBCC) building permit fees and the SBCC has increased its fees; and

WHEREAS, changes to land clearing permits as a result of Resolution No. 2018-35 necessitate the removal of the no charge land clearing permit from the Fee Schedule; and

WHEREAS, the City's Storm and Surface Water Management (SSWM) fee is increased from \$184.00 to \$190.07 per impervious surface unit (ISU) in accordance with Ordinance No. 2017-22, which increased the City's SSWM fee by the June-June CPI-U for the Seattle-Tacoma-Bellevue area in each year from 2018 through 2022; and

WHEREAS, the City's Fee Schedule needs to be updated to reflect these recent changes in fees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Section 6. PERMITS (Except Building & Planning) of the City's Fee Schedule is hereby amended as follows:

CONCEALED PISTOL LICENSE (first time application) ~~\$48.00~~ \$49.25
(RCW 9.41.070(5); Resolution No. 2017-01; Resolution No. 2019-01)
\$18.00 is the City's share; \$18.00 goes to the State; ~~\$12.00~~ \$13.25 goes to the FBI

Section 2. Section 8. FIRE AND INSPECTION FEES of the City's Fee Schedule is hereby amended as follows:

OUTDOOR BURNING PERMITS

(Ordinance No. 2000-27, Resolution No. 2001-28, Resolution No. 2019-01)

All fires must comply with all applicable Washington State laws and regulations.

The property owner is responsible for payment of all permit fees.

Agricultural fires

On land designated by the City or Kitsap County as agricultural land No Charge

All other locations ~~\$70.00~~ No Charge

Firefighting instructional fires No Charge

Recreational fires greater than three feet diameter ~~\$70.00~~ No Charge

Recreational fires less than three feet diameter no permit required

Storm or flood debris burning ~~\$70.00~~ No Charge

(may be waived in times of emergency)

Section 3. Section 9. BUILDING AND PLANNING FEES of the City's Fee Schedule is hereby amended as follows:

BUILDING FEE (SBCC) ~~\$4.50~~ \$6.50 for the first unit, plus (Ordinance No. 92-24, Resolution No. 2019-01) \$2.00 for each additional unit. Commercial projects permitted under the IBC or IEBC \$25.00. This fee is remitted to the State of Washington and funds studies on building activity.

~~LAND CLEARING PERMIT~~ No Charge

Section 4. Section 11. UTILITY FEES, Subsection C. STORM AND SURFACE WATER FEE of the City's Fee Schedule is hereby amended as follows:

C. STORM AND SURFACE WATER FEE

(BIMC 13.24, Ordinance No. 2016-23, and Resolution No. 2017-01, Ordinance No. 2017-22, Resolution No. 2019-01)

Storm and Surface Water fees are billed on property tax bills.

CHARGE PER IMPERVIOUS SURFACE UNIT (ISU) ~~\$184.00~~ \$190.07 annually

Section 5. This resolution will take effect immediately upon passage.

PASSED by the City Council this ___ day of January, 2019.

APPROVED by the Mayor this ___ day of January, 2019.

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

December 31, 2018
January __, 2019
2019-01



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (7:50 PM) Resolution No. 2019-09, Rescinding Prior Decisions to Surplus Certain City-Owned Real Property - Executive,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Resolution

PROPOSED BY: Executive

RECOMMENDED MOTION:

I move to forward Resolution No. 2019-09 for approval with the January 22, 2019, Consent Agenda.

SUMMARY:

If adopted, Resolution No. 2019-09 would rescind prior decisions of the City Council that declared as surplus the following City-owned real property: Head-of-the-Bay Properties (i.e., Myer's Pit and Old Decant Facility properties), Miller Road Shed/Old County Road Maintenance Site, Weaver Well Property, and the Lovgreen Road Property (i.e., Lovgreen Pit Site).

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

In 2009 and 2011, the City Council designated, through several resolutions, the following properties as surplus to the City's needs: Head-of-the-Bay Properties (i.e., Myer's Pit and Old Decant Facility properties), Miller Road Shed/Old County Road Maintenance Site, Weaver Well Property, and the Lovgreen Road Property (i.e., Lovgreen Pit Site). The City currently still owns each of these properties.

With the passage of time and changing circumstances and needs, there may now be a public use for these properties. If adopted, Resolution No. 2019-09 would remove the "surplus" designation for these properties, allowing the City Council to consider what the best public use of each property may be.

For reference, attached is the 2018 Annual Report on Surplus Real Property, which provides more detail on the five properties at issue. In addition, also attached is a staff memo, which briefly outlines reasons for removing the "surplus" designation for these properties.

ATTACHMENTS:

[Staff Memo re Res 2019-09 re Removal of Surplus Designation for Certain Properties](#)

[Resolution No. 2019-09 \(Formerly 2018-37\) Rescinding Prior Decisions to Surplus Certain City-Owned Real Property](#)

[2018 Surplus Property Report](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

Executive Department

Memorandum

Date: January 8, 2019

To: The City Council

From: Robbie Sepler, Deputy City Attorney

Subject: Resolution No. 2019-09;
Summary Reasons Supporting Removal of “Surplus” Designation for Certain
City-Owned Real Property

Resolution No. 2019-09 proposes to rescind prior decisions of the City Council to declare surplus the following City-owned real property: Head-of-the-Bay Properties (i.e., Myer’s Pit and Old Decant Facility), Miller Road Shed/Old County Road Maintenance Site, Weaver Well Property, and the Lovgreen Road Property (i.e., Lovgreen Pit Site).

Reasons supporting the removal of the “surplus” designation for each property are summarized below:

Head-of-the-Bay Properties

- Given the passage of time and changing circumstances and needs, the City Council may wish to review and revisit the potential uses of these properties.

Miller Road Shed/Old County Road Maintenance Site

- The potential for use of this property may change depending on the ongoing Island Center Subarea Planning Process.

Weaver Well Property

- The City has an interest in retaining the water rights attached to this property.
- Due to the property's low potential for development, sale of the property would likely not generate much revenue.

Lovgreen Road Property

- In 2014, the City Council made the decision to use the Lovgreen Road Property to hold clean road spoils (e.g., road shoulders, ditch cleaning, pot holing, and landslide waste).
- The City has an interest in continuing to use the property for this purpose.

RESOLUTION NO. 2019-09

A RESOLUTION of the City Council of Bainbridge Island, Washington, rescinding prior decisions of the City Council that declared surplus certain City-owned real property.

WHEREAS, the City owns a 6.08-acre parcel of real property in the Head-of-the-Bay area just south of Carmella Lane, which property is commonly known as the Myer's Pit and identified as Parcel No. 272502-2-016-2002; and

WHEREAS, adjacent to the Myer's Pit, the City also owns a 6.2-acre parcel of real property in the Head-of-the-Bay area, which property is commonly known as the Old Decant Facility and identified as Parcel No. 272502-2-050-2009; and

WHEREAS, the City owns a 3.28-acre parcel of real property located at 8964 Miller Road NE, which property is commonly known as the Miller Road Shed/Old County Road Maintenance Site and identified as Parcel No. 202502-1-049-2002; and

WHEREAS, the City owns a 0.69-acre parcel of real property at the intersection of Shepard Way NW and Weaver Road NW, which property is commonly known as the Weaver Well Property and identified as Parcel No. 272502-4-035-2005; and

WHEREAS, the City owns a 14.39-acre parcel of real property located off of Miller Road NE, which property is commonly known as the Lovgreen Property or Lovgreen Pit Site and identified as Parcel No. 092502-4-002-2006; and

WHEREAS, on September 2, 2009, the City Council adopted Resolution No. 2009-24, which declared the Head-of-the-Bay Properties (i.e., Myer's Pit and the Old Decant Facility properties) to be surplus to the needs of the City and authorized the sale of the two properties if certain conditions specified in the resolution were met; and

WHEREAS, on September 2, 2009, the City Council adopted Resolution No. 2009-20, which declared the Miller Road Shed/Old County Road Maintenance Site to be surplus to the needs of the City and authorized the sale of the property if certain conditions specified in the resolution were met; and

WHEREAS, on September 2, 2009, the City Council adopted Resolution No. 2009-23, which declared the Weaver Well Property to be surplus to the needs of the City and authorized the sale of the property if certain conditions specified in the resolution were met; and

WHEREAS, on August 10, 2011, the City Council adopted Resolution No. 2011-16, which declared the Lovgreen Road Property (i.e., the Lovgreen Pit Site) to be surplus to the needs of the City and authorized the sale of the property if certain conditions specified in the resolution were met; and

WHEREAS, the Head-of-the-Bay Properties (i.e., Myer's Pit and Old Decant Facility properties), Miller Road Shed/Old County Road Maintenance Site property, Weaver Well Property, and Lovgreen Road Property (i.e., Lovgreen Pit Site) are legally described on attached and incorporated **Exhibit A**; and

WHEREAS, since being declared surplus, the Head-of-the-Bay Properties (i.e., Myer's Pit and Old Decant Facility properties), Miller Road Shed/Old County Road Maintenance Site property, Weaver Well Property, and Lovgreen Road Property (i.e., Lovgreen Pit Site) have not been sold and remain City-owned real property; and

WHEREAS, the City Council now desires to reconsider whether there are public uses for these properties and wishes to rescind its prior decisions declaring these properties to be surplus to the needs to the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND DOES RESOLVE AS FOLLOWS:

Section 1. Resolution Nos. 2009-20, 2009-23, and 2009-24 are hereby repealed in their entirety and the City Council hereby finds and declares that the Myer's Pit, Old Decant Facility, Miller Road Shed/Old County Road Maintenance Site, and Weaver Well properties, which are legally described on **Exhibit A**, are no longer surplus to the needs of the City of Bainbridge Island.

Section 2. The City Council hereby finds and declares that the Lovgreen Pit Site, legally described on **Exhibit A**, is no longer surplus to the needs of the City of Bainbridge Island. To the extent that Resolution No. 2011-16 conflicts with this resolution, this resolution shall control.

Section 3. This resolution shall take effect immediately after its passage.

PASSED by the City Council this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

By: _____

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: _____

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

December 31, 2018
January ____, 2019
2019-09

Attached: Exhibit A

Exhibit A
Legal Descriptions of Real Property

Myer's Pit (Head-of-the Bay)
(Parcel No. 272502-2-016-2002)

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 89°32'51" EAST 660.97 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 0°04'46" EAST 729.50 FEET; THENCE NORTH 88°18'40" WEST 297.12 FEET; THENCE SOUTH 1°21'20" WEST 112.11 FEET; THENCE SOUTH 66°40'20" WEST 162.82 FEET; THENCE NORTH 74°49'30" WEST 219.64 FEET, MORE OR LESS, TO THE SECTION LINE; THENCE NORTH 0°03'02" WEST 850.75 FEET ALONG THE SECTION LINE TO POINT OF BEGINNING CONTAINING 12.3 ACRES, MORE OR LESS;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF WINSLOW PER STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 8309270152;

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER AND ACROSS A STRIP OF LAND 30 FEET WIDE, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 15 FEET WEST OF THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE ABOVE MENTIONED SECTION AND RUNNING; THENCE NORTH 0°04'46" WEST 247.0 FEET, MORE OR LESS; THENCE NORTH 85°25' WEST 492 FEET; THENCE NORTH 26°50' WEST 120 FEET; THENCE NORTH 7°00' EAST 70 FEET, MORE OR LESS, TO ABOVE DESCRIBED COUNTY PROPERTY.

Old Decant Facility (Head-of-the Bay)

(Parcel No. 272502-2-050-2009)

TH PTN OF W1/2 SW1/4 NW1/4 DAF BAT NW COR OF SW1/4 NW1/4 TH S89*32'51E 315FT TH S0*00'02E 722.01FT TH S88*18'40E 49.38FT TO NW COR OF PRTY CNVYD TO ELMER SWEDINE BY DEED RECD SEPT 11 1961 UNDER AUD NO 754980 TH S1*21'20W 112.11FT TH S66*40'20W 162.82FT TH N74*49'30W 219.64 FT M/L TO W SEC LN TH N0*03'02W 850.75FT ALG SD SEC LN TO TPOB EXC N 15FT OF E 179.76FT ALSO EXC A STRIP OF LAND 30FT IN WIDTH FOR RD PURP CTRLN OF WH IS DAF BAT NW COR OF SW1/4 NW1/4 TH S89*32' 51E 660.97FT M/L TO NE COR OF W1/2 SW 1/4 NW1/4 TH S0*04'46E 729.50FT TH N88* 18'40W 312.12FT BEING TPOB OF 30FT STRIP TH S1*21'20W 103.62FT TH S66* 40'20W 146.73FT TH N74*41'39W 95FT M/L TO E LN OF EXST R/W ALSO EXC ESMT FOR RD PURP RECD UNDER AUD NO 422781 ALSO EXC ESMT FOR UTIL PURP RECD UNDER AUD NO 782718 ALSO EXC BUCKLIN HILL RD TGW ESMT OVER STRIP OF LAND 30FT WIDE FOR RD PURP CTRLN DAF BAAP 15FT W OF SE COR OF W1/2 SW1/4 NW1/4 TH N0*04'46W 247.0 FT M/L TH N85*25'W 492FT TH N26*50'W 120FT TH N7*00'E 70FT M/L TO ABV DESC CO PRTY

Miller Road Shed/Old County Road Maintenance Site

(Parcel No. 202502-1-049-2002)

BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF SECTION 20, WHICH POINT IS 700 FEET NORTH OF THE ONE QUARTER SECTION POST ON THE EAST BOUNDARY LINE OF SECTION 20, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON; THENCE RUNNING WEST 512 FEET; THENCE NORTH 22.50° WEST 223 FEET; THENCE NORTH 125 FEET; THENCE NORTH 82° EAST 390 FEET; THENCE SOUTH 119 FEET; THENCE EAST 209 FEET TO THE EAST BOUNDARY LINE OF SAID SECTION 20; THENCE SOUTH ALONG SAID BOUNDARY LINE 261 FEET TO A POINT OF BEGINNING. LESS 10 FEET ON NORTH END RESERVED FOR ROAD.

SITUATE IN THE COUNTY OF KITSAP, STATE OF WASHINGTON.

Weaver Well Property

(Parcel No. 272502-4-035-2005)

PT OF NW 1/4 SE 1/4 THE E 200FT OF W 215FT OF S 200FT OF NW 1/4 NW 1/4 SE 1/4 EX RD

Lovgreen Pit (Lovgreen Property)
(Parcel No. 092502-4-002-2006)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 0°11'22" EAST 495.25 FEET TO A POINT WHICH IS 834 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°48'34" EAST 200.00 FEET; THENCE SOUTH 35°31'56" EAST 607.49 FEET; THENCE SOUTH 89°58'42" WEST 554.69 FEET TO THE POINT OF BEGINNING;

AND THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 25, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT 100 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTHEASTERLY TO A POINT 100 FEET EAST OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE TERMINUS OF SAID LINE;

AND THE NORTH 100 FEET OF THAT PART OF THE FOLLOWING DESCRIBED TRACT LYING EAST OF THE COUNTY ROAD TRAVERSING SAID PROPERTY IN A GENERAL NORTHERLY AND SOUTHERLY DIRECTION, THAT IS TO SAY:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 25, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON; THENCE SOUTH 214.50 FEET; THENCE EAST 884 FEET; THENCE SOUTH 26.50° WEST 394 FEET; THENCE EAST 606 FEET; THENCE NORTH 569.91 FEET; THENCE WEST 1320 FEET TO PLACE OF BEGINNING.



CITY OF
BAINBRIDGE ISLAND

Executive Department
Memorandum

Date: 8/14/2018
To: The City Council
From: Robbie Sepler, Deputy City Attorney
Subject: Annual Report on Surplus Real Property

This memorandum will provide an update on the status of the City's surplus properties and the progress made since the August 2017 report to the City Council.

From 2009-2011, the City undertook a comprehensive review of City-owned real property. The result was a series of decisions to surplus various properties, with some properties identified for transfer to the Bainbridge Island Metropolitan Park and Recreation District ("BIMPRD"), and some properties identified as candidates to be sold.

Table 1 provides an overview of the surplus properties still owned or recently transferred by the City as of August 1, 2018. This report then provides an update on the current status of these surplus properties.

Table 1.

Property	Year of Surplus	Intended Disposition	Status
Head-of-the-Bay property (2 parcels)	2009	Market sale	City still owns
Miller Rd.	2009	Market sale	City still owns
Weaver Well Site	2009	Negotiated sale to affordable housing nonprofit, or market sale	City still owns
Islander Mobile Home Park (IMHP) shares	2010	Market sale upon vacancy of individual shares	5 shares sold 2011-2016 2 shares remain
Lovgreen Rd.	2011	Transfer to BIMPRD	City determined to retain for spoils disposal; surplus resolution should be rescinded
Pritchard Park (3 parcels)	2011	Transfer to BIMPRD	Once NOAA has signed, the City and BIMPRD will have executed a transfer agreement for one of the parcels. The City will retain the other two parcels. Surplus resolution should be clarified as to what parcels the City will retain.
Manitou Beach Tidelands	2011	Transfer to BIMPRD	City still owns, transfer to BIMPRD is in process
Manitou Beach Uplands	2017	Transfer to BIMPRD	City still owns, transfer to BIMPRD is in process
Islandwood Trail	2017	Transfer to BIMPRD	City still holds easement, transfer to BIMPRD is in process
Unnamed 30-Foot Strip (Related to the 10-Acre Soutter Addition to the Grand Forest)	2018	Transfer to BIMPRD	The City and BIMPRD have executed a transfer agreement.

Head of the Bay Parcel (Myer's Pit) (Parcel No. 272502-2-016-2002)

Current Status:

In 2014, the City finalized a boundary line adjustment that resolved an encroachment with the property to the South and provided an access and utility easement along Carmella Lane. Resolution No. 2009-24 specified that a conservation easement should be granted in favor of Bainbridge Island Land Trust along Cooper Creek to protect the salmon habitat and conservation work. A trail easement across the northern boundary will be retained to connect the Bethany Lutheran Church trail with the Lost Valley trail easements. As noted below, no active recreation facilities can be located at this site.

Background:

- a. Description of the location and size of the property: This is a 6.08 acre parcel in the Head of the Bay area just south of Carmella Lane; adjacent to the Old Decant Facility.
- b. Description of the circumstances under which the property was obtained: The purchase of this parcel was approved by the City Council on May 9, 2001, under a Real Estate Contract with Kitsap County that was signed on August 13, 2001. Lovgreen Road and the Miller Road Shed were purchased under the same contract. The City paid the appraised price for two of the parcels and received the third parcel at no cost. Final payment was made in 2011. In connection with the Brewer Settlement Agreement, the City agreed that no active recreation facilities are permitted.
- c. Description of the funds used to acquire the property: General Fund.
- d. Surplus information: The parcel was declared surplus by Resolution No. 2009-24, and staff was authorized to list the property with a real estate agent through a multiple listing service or sell the parcel to Puget Sound Energy through a negotiated sale.
- e. Description: The parcel was used by Kitsap County for extraction of gravel and for stockpiling road building materials. The site was used by the Operations and Maintenance Department following the City's acquisition in 2001. It is unused at the current time.



Head of the Bay Parcel (Old Decant Facility) (Parcel No. 272502-2-050-2009)

Current Status:

In 2014, the City finalized a boundary line adjustment that resolved an encroachment with the property to the South, created a well protection area, and provided an access and utility easement along Carmella Lane. A trail easement across the western boundary will be retained to connect the Bethany Lutheran Church trail with the Lost Valley trail easements. As noted below, no active recreation facilities can be located at this site.

Background:

- a. Description of the location and size of the property: This is a 6.2 acre parcel in the Head of the Bay area just south of Carmella Lane and adjacent to Myer's Pit.
- b. Description of the circumstances under which the property was obtained: The City Council approved the purchase of this parcel on June 16, 1983 for use as a maintenance facility and new well site. The property was purchased from Kitsap County on September 12, 1983.
- c. Description of the funds used to acquire the property: General Fund; Limited Tax General Obligation Bonds issued under Limited Tax General Obligation Bond Ordinance No. 83-06. The final payment was made in 1993.
- d. Surplus information: The parcel was declared surplus by Resolution No. 2009-24, and staff was authorized to list the property with a real estate agent through a multiple listing service or sell the parcel to Puget Sound Energy through a negotiated sale.
- e. Description: The parcel was used as a decant facility and for storage of equipment by the Operations and Maintenance Department. It is unused at this time. Under the Brewer settlement agreement, no active recreation facilities are permitted.



Miller Road Shed/Old County Road Maintenance Site (Parcel No. 202502-1-049-2002)

Current Status:

The property was surveyed in 2011 and a boundary line adjustment was prepared to address conflicting legal descriptions. The survey also revealed that a portion of the road that serves the Island Cemetery parcel is on City property. An ingress and egress access easement was prepared to grant Island Cemetery use of the road. A boundary line adjustment was put on hold when agreement could not be reached with one of the property owners. That property has subsequently been sold. In addition to the boundary line adjustment and cemetery easement, a new ingress and egress access easement and maintenance agreement among all of the adjacent property owners will need to be finalized and recorded. The parcel should also be reviewed by the Non-Motorized Transportation Committee to see if retaining a trail easement is advisable.

Background:

- a. Description of the location and size of the property: A 3.28 parcel located at 8964 Miller Road NE adjacent to Kol Shalom and near Bainbridge Gardens.
- b. Description of the circumstances under which the property was obtained: The purchase of this parcel was approved by the City Council on May 9, 2001, under a Real Estate Contract with Kitsap County which was signed on August 13, 2001. Lovgreen Road and Meyer's Pit were purchased under the same contract. The City paid the appraised price for two of the parcels and received the third parcel at no cost. Final payment was made in 2011.
- c. Description of the funds used to acquire the property: General Fund.
- d. Surplus information: The property was declared surplus by Resolution No. 2009-20 with authorization to list it for sale with a real estate agent through a multiple listing service.
- e. Description: The Road Shed site was used by Kitsap County as a storage and vehicle servicing facility for Kitsap County Public Works equipment. The property is zoned R-2; seven residential lots/units are permitted. There are no critical areas on the parcel. An access easement, along the northern property line, is granted to adjoining properties to the northeast. A well on the site was decommissioned to Department of Ecology standards on June 14, 2002.



Weaver Well Property (Parcel No. 272502-4-035-2005)

Current Status:

This property was reviewed by Public Works to assess the site's current significance to the Water Utility. The conclusion was that the City does not need the site for our water system. To prepare for a sale of the property, the City would need to: (1) properly decommission the existing wells; and (2) transfer the water rights to another location where they would be useful to the City.

Before proceeding with this process, staff would review costs associated with a transfer and the potential market value of the property sale.

Background:

- a. Description of the location and size of the property: This is a .69-acre parcel at the intersection of Shepard Way and Weaver Road NW, on the western edge of Winslow in a residential neighborhood. Note: An appraisal and 2000 study refer to this parcel as being .92 acres.
- b. Description of the circumstances under which the property was obtained: It was acquired by the Town of Winslow in the 1950s.
- c. Description of the funds used to acquire the property: Unknown; the Finance Department has no record of its purchase.
- d. Surplus information: The parcel was declared surplus by Resolution No. 2009-23 with the recommendation that the City retain water rights and an access and utility easement. The surplus recommendation specified that a negotiated sale with a nonprofit provider of affordable housing be attempted first, and if unsuccessful, the property may be listed through a multiple listing service.
- e. Description: The property has two City non-potable wells used to obtain water for use in the City's operations. There is a small shed on the west side. The City proposed locating a decant facility on this site in 1999-2000 but faced significant community opposition. The site is zoned R-3.5, but a stream divides the parcel. The stream is an unregulated class V stream, and there are no stream setback requirements for use of the parcel. A 2003 appraisal says that the parcel's highest and best use is subdivision into 3 lots. [Note: In 2003, Michelle Fischer arranged for an appraisal of the parcel in connection with a property transfer between departments. No information on this transfer could be found in the files.]



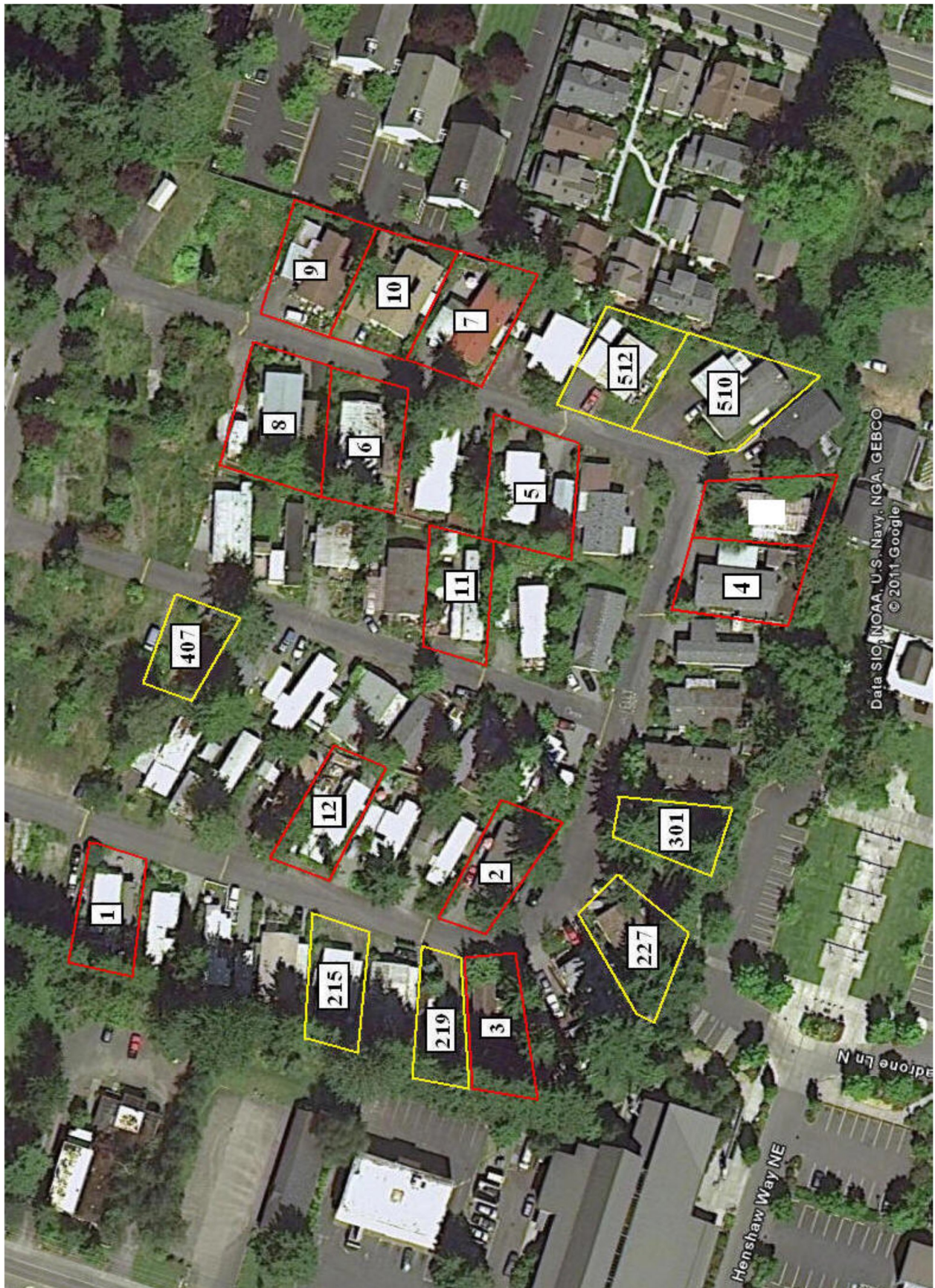
Islander Mobile Home Park

Current Status:

In 2016, the City sold three City-owned shares. One of these shares was sold to the long-term tenant of the property. Two additional shares became vacant due to the death of the residents, and the City sold those shares using a closed bidding process. The City will continue to pursue the sale of the remaining two shares when circumstances allow. Until that time, the current tenants will remain in place and are responsible for paying the monthly fees for their units.

Background:

- a. Description of the location of the property: The Islander Mobile Home Park property is located in downtown Winslow, just north of City Hall.
- b. Description of the circumstances under which the property was obtained: In 2003, after 30 years of ownership by a private individual, the Islander Mobile Home Park property was put up for sale. In 2004, the City purchased seven shares in the Islanders Mobile Home Park Association for affordable and income qualified housing purposes, all of which Shares were associated with residents who wanted to remain at the park but were financially unable to purchase a share in the Association.
- c. Description of the funds used to acquire the property: General Fund.
- d. Surplus information: The parcel was declared surplus by Resolution No. 2010-24 on August 25, 2010, and staff were authorized to sell the shares only as current residents choose to vacate and the shares become available. The sale price of the City's Shares will be generally calculated based upon the Multiple Listing Service data for appreciation/depreciation rates of residential real estate in the City, from the date of the City's initial purchase of the City's Shares, which calculation the City generally accepts as a fair and accurate estimate of the "fair market value."
- e. Description: The Islander Residents Association is a non-profit corporation formed with the stated purpose of purchasing the majority of the Islander Mobile Home Park and then owning and operating it as a mobile home park in perpetuity. The City purchased seven shares in the association, associated with the addresses 215, 219, 227, 301, 407, 510 and 512 Madrona Way (shown on attached map) and entered into subleases with the current residents. The shares associated with 227 and 301 Madrona Way remain under City ownership, with subleases to the current tenants.



Lovgreen Road (Parcel No. 092502-4-002-2006)

Current Status:

In 2014, the City determined to use this site for spoils disposal and completed the regulatory requirements for use of the site. As it is now used for City operations, the City should rescind the surplus resolution for this site to clarify the property's status.

Background:

- a. Description of the location and size of the property: A 14.39-acre site located off of Miller Road.
- b. Description of the circumstances under which the property was obtained: The purchase of this parcel was approved by the City Council on May 9, 2001, under a Real Estate Contract with Kitsap County which was signed on August 13, 2001. The City paid the appraised price for two of the parcels and received the third parcel at no cost. Final payment was made in 2011.
- c. Description of the funds used to acquire the property: General Fund.
- d. Surplus information: The City Council declared the property surplus pursuant to Resolution No. 2011-16 and authorized its transfer to the BIMPRD. In November 2014, the City Council chose to move forward with the re-use option that was presented.
- e. Description: This was the site of a former gravel pit. Mining operations ceased in 1992.



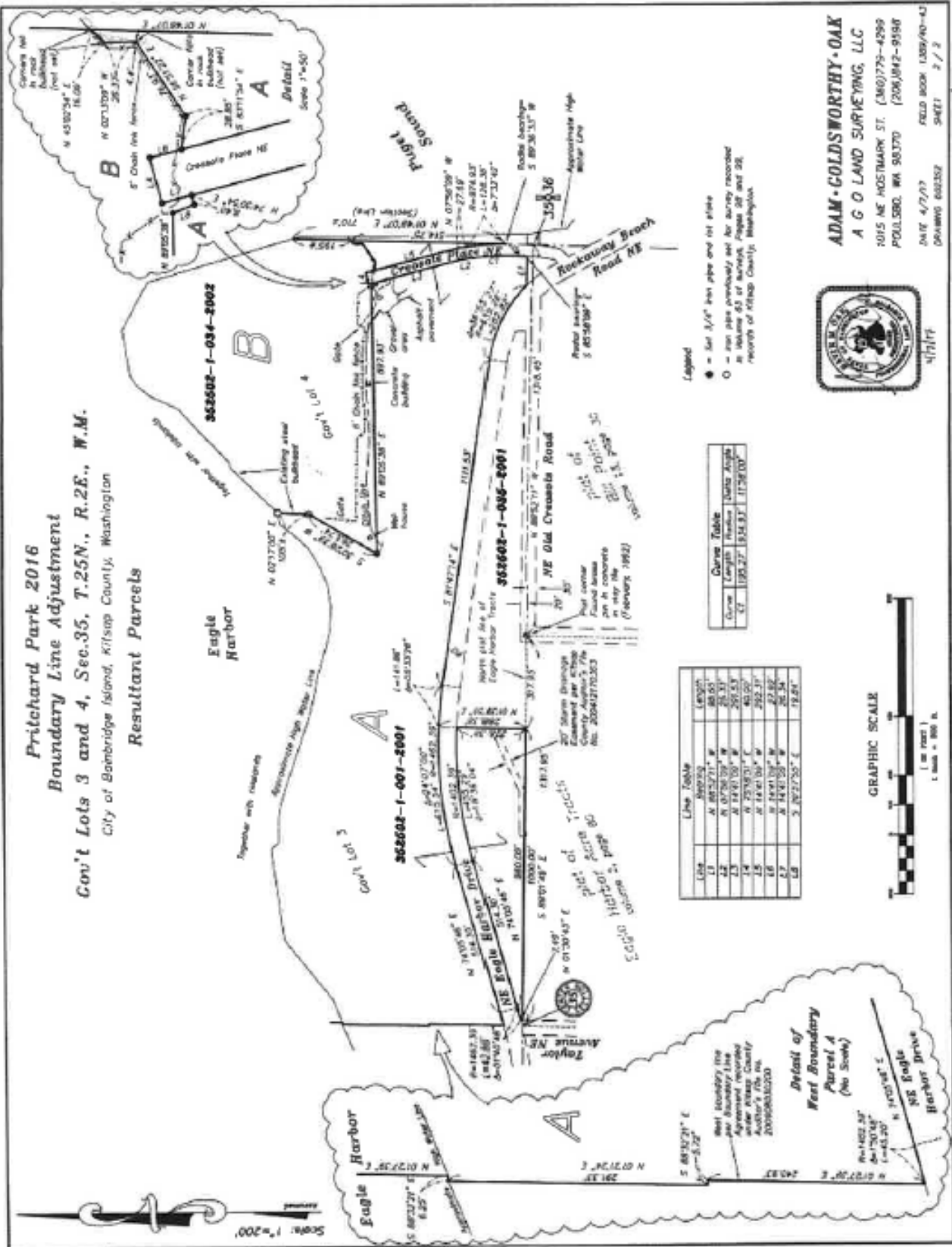
Pritchard Park (Parcel No. 352502-1-001-2001, No. 352502-1-034-2002, and No. 352502-1-035-2001)

Current Status:

Once NOAA has signed, the City and BIMPRD will have executed a transfer agreement for one of the parcels (Parcel No. 352502-1-001-2001). The City will retain the other two parcels (Parcel No. 352502-1-034-2002 and No. 352502-1-035-2001). The City Council should, by resolution, clarify that the parcels retained by the City are not surplus real property.

Background:

- a. Description of the location and size of the property: Approximately 49.5 acres of the Wyckoff-Eagle Harbor Superfund Site.
- b. Description of the circumstances under which the property was obtained: The City purchased, in successive phases, three parcels of the Wyckoff-Eagle Harbor Superfund Site in the years 2004-2006.
- c. Description of the funds used to acquire the property: Funds from the voter-approved Open Space Bond, sent to the voters by Ordinance No. 2001-36, and grant money
- d. Surplus information: The City Council declared the property surplus pursuant to Resolution No. 2011-16 and authorized its transfer to the BIMPRD.
- e. Description: This property, generally, is the former Wyckoff Creosote property, home to wood treatment operations from the early 1900's to 1994. During the nearly 90 years of operations, the soils at the facility and the groundwater beneath became contaminated with creosote and other wood treatment compounds. In 1987, the Environmental Protection Agency listed the site as a Superfund site and commenced remedial action in 1990.



ADAM • GOLDSWORTHY • OAK
A G O LAND SURVEYING, LLC
1015 NE HOSTMARK ST. (360)779-4299
PO BOX 90370 WA 98170 (206)942-9598
DATE 4/7/17 FIELD BOOK 1305/90-43
DRAWING 602352 SHEET 2 / 2

201704190187 04/19

Manitou Tidelands (Parcel No. 142502-3-107-2005)

Current Status:

The City continues to own the parcel. The City Attorney's Office has prepared a draft transfer agreement to transfer the parcel to the BIMPRD, which will soon be submitted to the BIMPRD for review and approval.

Background:

- a. Description of the location and size of the property: A 0.13-acre parcel located on Manitou Beach Drive NE.
- b. Description of the circumstances under which the property was obtained: The City acquired the Manitou Tidelands with funds from the voter-approved Open Space Bond, sent to the voters by Ordinance No. 2001-36.
- c. Description of the funds used to acquire the property: Bonds issued pursuant to Ordinance No. 2001-36.
- d. Surplus information: The City Council declared the property surplus pursuant to Resolution No. 2011-16 and authorized its transfer to the BIMPRD
- e. Description: The property is a tideland parcel that the City acquired from Peter and Elyse Kane.

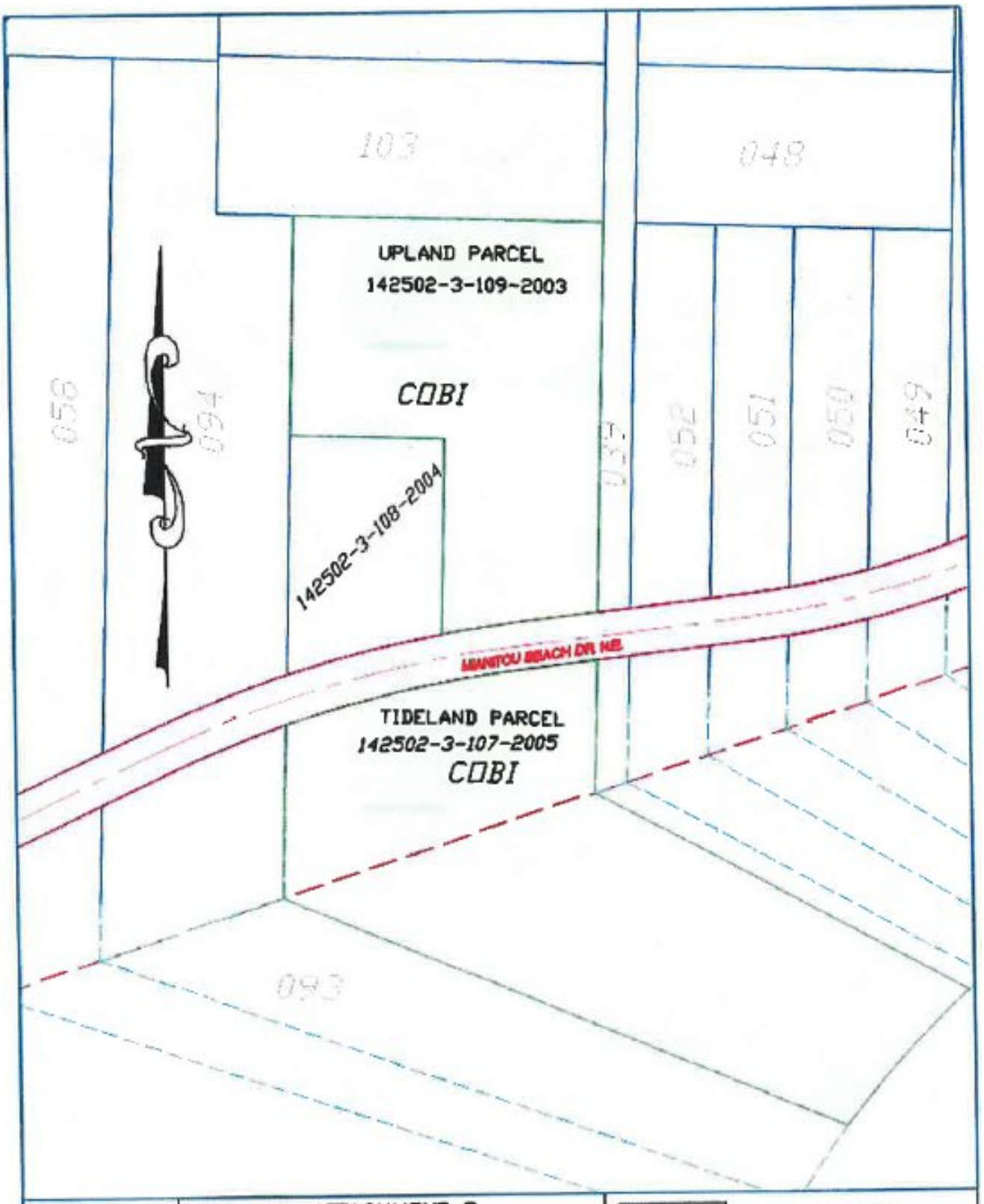
Manitou Uplands (Parcel No. 142502-3-109-2003)

Current Status:

On January 30, 2018, the City and the adjacent property owners executed a Purchase and Sale Agreement for the north 25-feet of the parcel, with the City retaining ownership of the remainder. The City Attorney's Office has prepared a draft transfer agreement to transfer the parcel to the BIMPRD, which will soon be submitted to the BIMPRD for review and approval.

Background:

- a. Description of the location and size of the property: A 0.88-acre parcel located on Manitou Beach Drive NE.
- b. Description of the circumstances under which the property was obtained: The City acquired the Manitou Uplands with funds from the voter-approved Open Space Bond, sent to the voters by Ordinance No. 2001-36.
- c. Description of the funds used to acquire the property: Bonds issued pursuant to Ordinance No. 2001-36.
- d. Surplus information: The City Council declared the property surplus pursuant to Resolution No. 2017-12 and authorized its transfer to the BIMPRD
- e. Description: The property is an upland parcel that the City acquired from Peter and Elyse Kane.



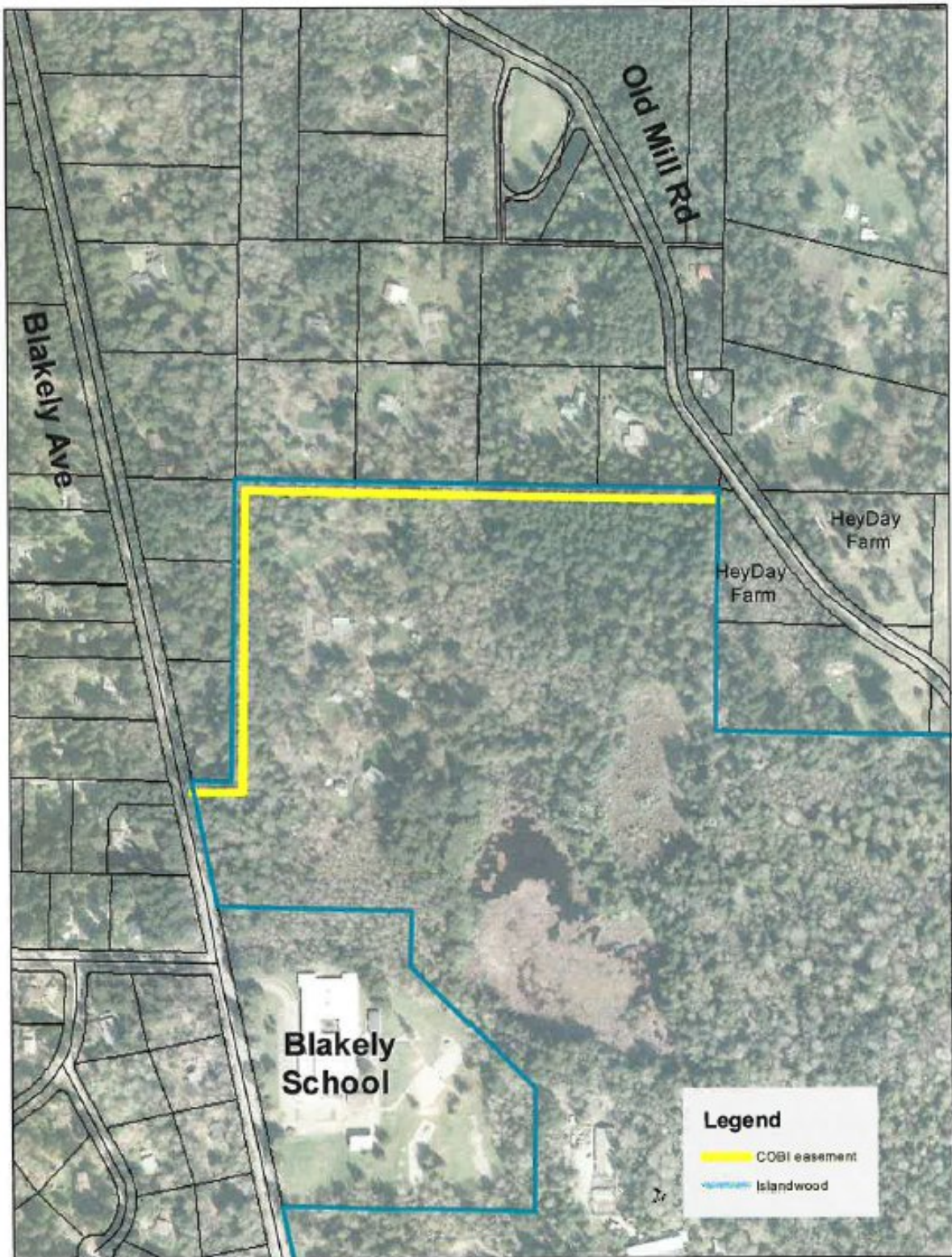
IslandWood Trail (AFN 200208270486)

Current Status:

The City continues to hold the easement. The City Attorney's Office has prepared a draft transfer agreement to transfer the easement to the BIMPRD, which will soon be submitted to the BIMPRD for review and approval.

Background:

- a. Description of the location and size of the property: 15-foot wide easement along a portion of Parcel No. 032402-1-033-2002.
- b. Description of the circumstances under which the property was obtained: The City acquired the Trail Easement from IslandWood for the purpose of providing public access to the easement area for pedestrian and non-motorized recreational activities, such as walking, bicycling, jogging, running, and riding horses.
- c. Description of the funds used to acquire the property: N/A
- d. Surplus information: The City Council declared the easement surplus pursuant to Resolution No. 2017-11 and authorized its transfer to the BIMPRD.
- e. Description: The City's Non-Motorized Transportation Advisory Committee recommended that the City allow the BIMPRD to construct a non-motorized trail over the easement. The City Council held a public hearing on the proposed transfer on April 11, 2017.



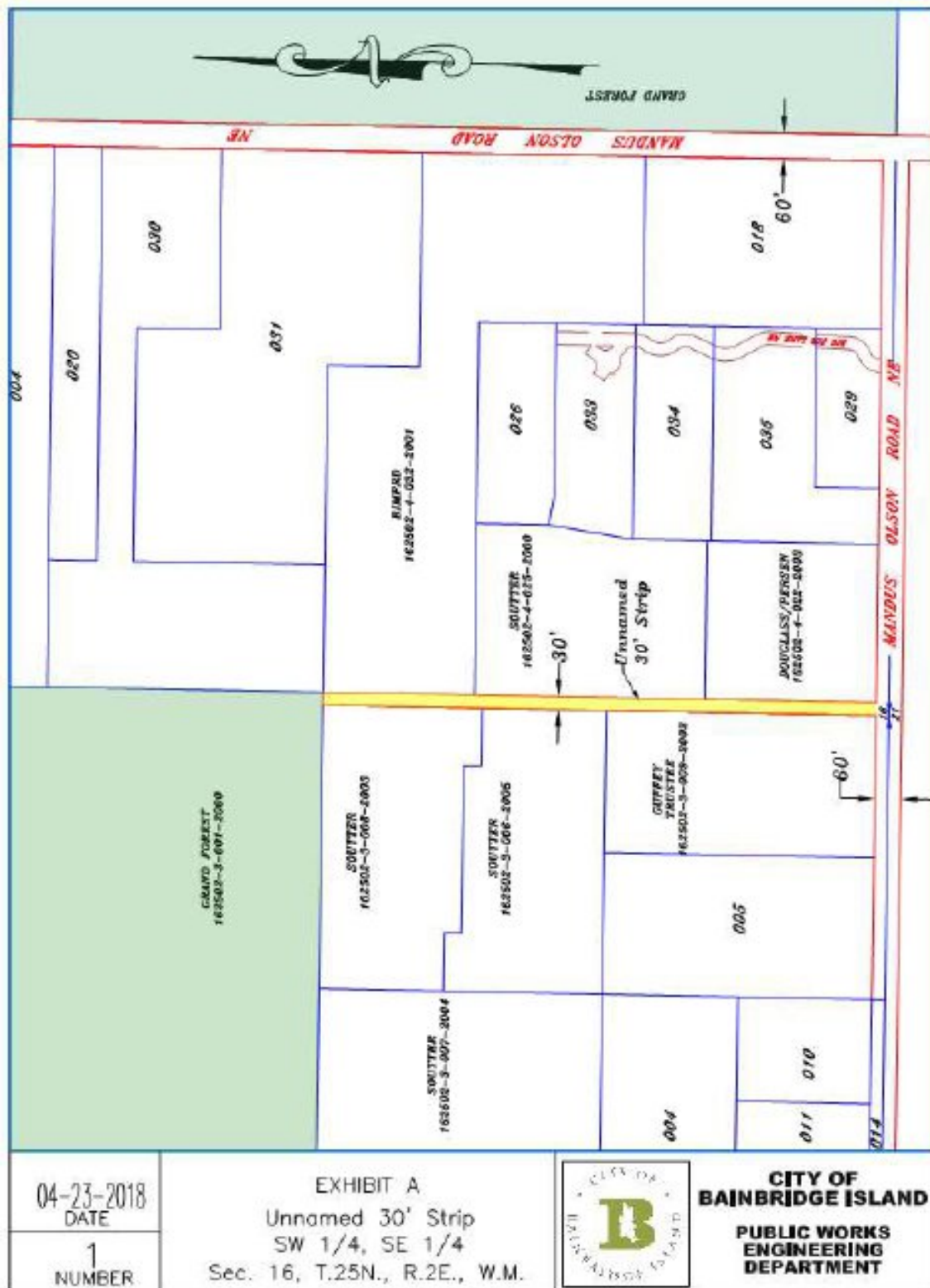
Unnamed 30-Foot Strip

Current Status:

The City and the BIMPRD executed a transfer agreement on July 24, 2018, approving the transfer of the property from the City to the BIMPRD.

Background:

- a. Description of the location and size of the property: A 30-foot strip of property running north from Mandus Olson Road.
- b. Description of the circumstances under which the property was obtained: On February 27, 2017, Kitsap County conveyed fee title to the unnamed 30-foot strip to the City by quit claim deed.
- c. Description of the funds used to acquire the property: N/A
- d. Surplus information: The City Council declared the easement surplus pursuant to Ordinance No. 2018-16 and authorized its transfer to the BIMPRD.
- e. Description: The BIMPRD, the Bainbridge Island Land Trust, and Sarah Soutter have agreed to a proposed transaction that, if completed, would ultimately result in a 10-acre addition to the Grand Forest. The transfer of the 30-foot strip from the City to the District is a necessary step for the proposed transaction to be completed.





CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (8:05 PM) Agreement for Provision of Juvenile Detention Facilities - Police,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Interlocal Agreement

PROPOSED BY: Police

RECOMMENDED MOTION:

I move to forward the Agreement for Provision of Juvenile Detention Facilities for approval with the January 22, 2019 Consent Agenda.

SUMMARY:

Consider the renewal of an existing agreement with Kitsap County for the detention of juveniles for offenses that are within the jurisdiction of, and charged within, the Bainbridge Island Municipal Court under RCW 13.04.030(1)(e)(iii).

FISCAL IMPACT:

Amount:	
Ongoing Cost:	500.00
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: Kitsap County is authorized by law to operate a Juvenile Detention Facility for juvenile offenders. The City of Bainbridge Island does not have or operate such a facility. Attached is a proposed renewal of an existing agreement with the County for the detention of juveniles for offenses that are within the jurisdiction of, and charged within, the Bainbridge Island Municipal Court under RCW 13.04.030(1)(e)(iii).

If approved, this agreement would be effective from January 1, 2019, through December 31, 2019, unless terminated earlier or extended. Under the proposed agreement, the City of Bainbridge Island is not required to continuously house juvenile offenders with Kitsap County.

ATTACHMENTS:

[2019 Juvenile Detention Facilities Agreement](#)

FISCAL DETAILS:

Fund Name(s): General Fund

Coding: 51011236/551000

AGREEMENT FOR PROVISION OF JUVENILE DETENTION FACILITIES BETWEEN KITSAP COUNTY AND THE CITY OF BAINBRIDGE ISLAND

This AGREEMENT FOR THE PROVISION OF JUVENILE DETENTION FACILITIES (“Agreement”) is entered into by and between Kitsap County (“County”), a political subdivision of Washington State, and the City of Bainbridge Island, a municipal corporation of Washington State (“City”).

RECITALS

WHEREAS, the County is authorized by law to operate the Kitsap County Juvenile Detention Facility (“Detention Facility”) to confine juvenile offenders;

WHEREAS, the City does not possess sufficient facilities to confine juvenile offenders;

WHEREAS, the County has space available in its Detention Facility and is amenable to making such space available to confine the City’s juvenile offenders, pursuant to the lawful authority of the City, for a rate of compensation as mutually agreed to by the parties; and

WHEREAS, the County and the City have determined that it would be mutually beneficial to the parties to enter into this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated herein by this reference, the parties agree as follows:

SECTION 1 DEFINITIONS

- 1.1 “Admitted” or “Admission” of the Juvenile by Kitsap County will occur when the Detention Facility staff has advised City’s Representative that the Juvenile presented to the Detention Facility for confinement has been accepted for admission by the Detention Facility, the booking process completed, and Kitsap County has taken physical control of the Juvenile.
- 1.2 “Additional Health Care Services” means any medical, mental health, dental or other form of health care and/or treatment provided to a Juvenile not routinely provided by Kitsap County’s in-house health care provider in the Detention Facility, regardless of where such services are provided including, without limitation, emergency medical services, prescriptions, laboratory tests, medical imaging services, necessary durable medical equipment, and any in-patient or out-patient treatment or referral.
- 1.3 “Bed-Day” means any consecutive period of time exceeding 12 hours during which a Juvenile is in the custody of the Kitsap County Juvenile Department Detention Facility, which includes booking.
- 1.4 “Booking” means the process in which the Juvenile’s personal data is recorded, the City’s Representative confirms the Juvenile’s identity and the lawful basis for

confinement, and any other screening process routinely required by the Detention Facility prior to Admission.

- 1.5 “City Representative” means an authorized member of the City of Bainbridge Island Police Department or other authorized representative of the City.
- 1.6 “Detention Facility” means Kitsap County Juvenile Department Detention Facility.
- 1.7 “Detention Manager” means the Manager of the Kitsap County Juvenile Detention Facility or his/her designee.
- 1.8 “Gravely Disabled” means a person who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his/her essential human needs of health or safety; or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his/her actions and is not receiving such care as is essential for his/her health or safety.
- 1.9 “Juvenile” means a youth under the chronological age of eighteen years of age arrested on a Bainbridge Island warrant or by the City’s law enforcement officers for violation of a law for which confinement of a juvenile is lawful.
- 1.10 “Partial Bed-Day” means any consecutive period of time of 12 hours or less during which a Juvenile is in the custody of the Kitsap County Juvenile Detention Facility, which includes Booking.

SECTION 2 SERVICES

- 2.1 This Agreement is limited to the detention of juveniles for offenses which are within the jurisdiction of, and charged within, the Bainbridge Island Municipal Court under RCW 13.040.030(1)(e)(iii).
- 2.2 The County agrees to accept Juveniles for confinement in the Detention Facility and the City agrees to compensate the County for such services as provided in this Agreement.
- 2.3 The County will provide the Juveniles confined in the Detention Facility with access to the same education, medical, dental, and other services provided to other juveniles confined in the Detention Facility as required by law and County policy and procedures.
- 2.4 Juvenile Compliance. All Juveniles confined in the Detention Facility shall be subject to and expected to comply with all Detention Facility rules, including those related to discipline, emergency, safety and security rules.
- 2.5 Juveniles Exceeding 18 years. Upon the prior written request from the City, the County may continue to confine the City’s Juveniles in the Detention Facility beyond the age of 18 years, but in no event older than 21 years of age.
- 2.6 Right of Refusal. The County at all times and for all purposes under this Agreement

retains the absolute right in its sole discretion to reject, limit, or revoke the acceptance of any or all Juvenile(s), or any other person, for confinement in the Detention Facility at any time and for any reason whatsoever.

- 2.7 Non-Detention Services. Court services, probation services, or the like, shall continue to be the sole responsibility of the City and are not subject to this Agreement.

SECTION 3 TERM

This Agreement shall commence on the date last signed by both parties ("Effective Date") and terminate on December 31, 2019, unless terminated or extended. This Agreement may be extended for additional consecutive one (1) year periods at the mutual written agreement of the parties, not to exceed a total of Five (5) years. Neither party has an obligation to extend this Agreement.

SECTION 4 TERMINATION

This Agreement may be terminated by either party, at the mutual convenience of the party, upon 60 days' prior written notice to the Contract Representative of the other party. The notice shall set forth the reasons for the termination and identify the specific plan for accommodating the removal of the Juveniles affected by the termination. In the event of termination, the City shall at its own expense, transport the Juveniles from the Detention Facility on or before the effective date of the termination.

SECTION 5 COMPENSATION AND BILLING

- 5.1 Bed-Day Rate/Housing. The City shall pay the County a basic fee of One Hundred Twenty-Five Dollars (\$125.00) per bed-day for every Juvenile confined in the Detention Facility
- 5.2 Partial Bed-Day Rate. The City shall pay the County a partial bed-day fee of \$62.50 per partial bed-day for every Juvenile confined in the Detention Facility.
- 5.3 Method of Billing. County will invoice the City monthly for amounts due the County under this Agreement for services provided in the previous month. Such fees shall be due and payable by the City within thirty (30) days from the billing date. Account balances overdue 30 days or more will be subject to a service charge of 1% per month (12% per annum). Should collection become necessary, the City shall be responsible for the payment of all collection costs, including reasonable attorney fees, associated with the collection of late payments.
- 5.4 Annual Increase. The bed-day and partial bed-day rate shall be increased annually by one hundred percent (100%) of that percentage increase set forth in the All Urban Consumers Index (CPI-U) (1982-1984=100) for the Seattle-Tacoma-Bremerton area as is specified by the Bureau of Labor Statistics, United States Department of Labor for the prior 12-month period ending in December; provided, however, the increase shall not be more than six percent (6%) of the amount for the prior year.
- 5.5 Other Costs. The City shall promptly pay all other costs, including those for

Additional Health Care Services to the County or third parties as provided herein.

SECTION 6

PRESENTATION AND ADMISSION

- 6.1 Prior Verification. *Prior* to presenting a Juvenile for confinement, the City's Representative shall contact the Detention Facility and obtain verification from the Detention Manager that the Detention Facility may Admit the Juvenile for confinement and ensure the order authorizing confinement contains a provision authorizing the Detention Manager to provide emergency medical treatment to the Juvenile. Prior verification does not guarantee Admission by the Detention Facility.
- 6.2 Presentation. When presenting a Juvenile to the County for confinement, the City Representative shall remain at the Detention Facility with the Juvenile and comply with all requirements of this Section and all Detention Facility procedures and rules until the Juvenile has been admitted.
- 6.3 Prohibitions
- A. Any Juvenile who is unconscious, under the influence of alcohol and/or drugs (as determined by Kitsap County), or Gravely Disabled may not be Admitted into the Detention Facility.
 - B. Any Juvenile with significant injuries, or who reports that he/she is currently experiencing significant medical or mental health issues, may be Admitted in the Detention Facility only when the Juvenile has been medically cleared for confined Detention by a medical doctor, nurse practitioner, or other equivalent medical personnel, and approved by Kitsap County.
- 6.4 Certification. The City is at all times solely responsible for determining that all Juveniles presented by City Representatives to the County for confinement are lawfully detained and confined, and certifies the same by the act of presenting the Juvenile for confinement to the Detention Facility. The City shall defend, indemnify and hold the County harmless as provided herein for any claim or action resulting from the detention of a Juvenile wrongfully presented by the City, or its representative, to the County for confinement.
- 6.5 Intake Assessment. When presenting a Juvenile to the Detention Facility for confinement, the City's Representative shall provide the Detention Facility staff with the following:
- A. Duration/Conditions – provide copies of all records in the possession pertaining to the Juvenile's confinement, which includes without limitation, all relevant court orders which identify the duration and other terms of confinement.
 - B. Emergency Medical Treatment - ensure the order of confinement contains authorization for Director of Kitsap County Juvenile Detention Facility to provide the Juvenile emergency medical treatment.

- C. Intake Assessment – provide all information requested on the Detention Facility Intake Assessment attached hereto as **Exhibit A**.
 - D. Parental Consent (Medical Treatment) – provide a signed copy of the Parental Consent for Medical Treatment and a copy of any medical insurance coverage information for the Juvenile in the event the Juvenile requires medical treatment while in the Detention Facility. See **Exhibit B - Parental Consent for Medical Treatment**. The City is and remains responsible for obtaining all consents and providing medical insurance coverage information.
 - E. Medical/Mental Health Status – provide a copy of the Juvenile’s medical records in the City’s possession and advise the Detention Facility staff of all information known about a Juvenile’s medical and mental health status (current and historical), including the Juvenile’s psycho-sexual history.
 - F. Drugs/Alcohol - inform the Detention Facility staff of all information known about the Juvenile’s alcohol and drug usage (current and historical).
 - G. ADA Accommodations - inform the Detention Facility staff of any known accommodation needs of the Juvenile consistent with the requirements of the Americans with Disabilities Act.
 - H. Other Information - provide all relevant information available regarding the Juvenile and such other information/documentation routinely required by the Detention Facility.
- 6.6 Admission. The City Representative transporting the Juvenile to the Detention Facility shall remain at the Detention Facility with the Juvenile until advised by the Detention Facility staff that the preliminary portion of the booking procedure has been completed and the Juvenile has been admitted into the Detention Facility.
- 6.7 Personal Property. Upon Admission of the Juvenile for confinement, County agrees to accept and store the Juvenile’s personal belongings in an amount not to exceed a day pack or equivalent in volume. Any personal belongings exceeding this amount will require approval from County. Any personal property not removed from the Detention Facility by the Juvenile upon the Juvenile’s release from the Detention Facility will be deemed to be abandoned and automatically become the property of the County without the requirement of further court action.
- 6.8 Notice. The County will use reasonable efforts to advise the City if a Juvenile is being detained by another law enforcement agency on a warrant issued by the City.

SECTION 7

LEGAL REPRESENTATION- JUVENILE

The City shall be responsible for responding to requests for legal assistance or legal representation made by the Juvenile confined in the Detention Facility. The County will notify the City of any requests for legal assistance or legal representation made by a Juvenile to a County detention officer.

SECTION 8

TRANSFER AND RELEASE

- 8.1 Release. The Juvenile may be released from confinement from the Detention Facility as provided below.
- A. Request by City. The Juvenile may be released to the City's Representative upon written direction or verified verbal direction from the City's Representative.
 - B. Court Order/Bail. The Juvenile may be released by valid court order or posting of bail.
 - C. Treatment. The Juvenile may be released due to medical, mental health, dental treatment or any other health care services not available within the Detention Facility.
 - D. Emergency/Catastrophe. The Juvenile may be released in the event of any emergency or catastrophic condition occurring that poses a reasonably imminent danger to the safety of the Juvenile or County personnel. The decision to release or remove persons from the Detention Facility will be at the sole discretion of the County. In such cases, the County will provide the City reasonable notice of the removal and shall exercise reasonable care for the safekeeping and custody of the Juvenile(s) so removed.
- 8.2 Resumption of Custody. The City shall be deemed to have resumed custody of the Juvenile upon the County's presentation of the Juvenile to the City, or upon the City's Representative taking physical control of the Juvenile.

SECTION 9

TRANSPORTATION AND SECURITY

- 9.1 Transportation. Unless otherwise agreed, the City shall be responsible for all transportation of Juveniles, which includes the delivery and pickup of the Juvenile(s) for all purposes under this Agreement.
- 9.2 Release. A City Representative shall be promptly available to pick up the Juvenile when released from the Detention Facility, regardless of the basis of the release. Promptly available means immediately available, and in no event longer than four (4) hours after the City receives notice from the County of the Juvenile's release. Notice for this purpose may be a written or oral notice from the Detention Facility to the City.
- 9.3 Reimbursement – Transportation/Security. In the event that the County provides the transportation, regardless of the reason, the City shall be required to reimburse the County for all costs of transportation and associated security incurred by the County to secure emergent medical evaluations, emergency treatment and to support the reasonable necessary operational needs of the Detention Facility. The cost for transportation and custodial security time performed by County staff shall be the Internal Revenue Service mileage rate in effect at the time of the service performed and the current cost to provide a detention officer (currently \$40.14 per officer per hour).

SECTION 10

HEATH CARE

- 10.1 Services Provided. Upon County's Admission of the Juvenile, the County will provide the Juvenile at no additional charge the routine medical services that are readily available to other detainees from the County's in-house third-party health care provider for which the health care provider does not render a separate billing for providing such service to a detainee. Services for which a separate billing is provided are considered Additional Health Care Services.
- 10.2 Reimbursement. The City shall reimburse County for its proportion of all Additional Health Care Services and associated costs and expenses in providing such services to a Juvenile. Reimbursement shall be paid directly to the County or third parties, as directed by the County.
- 10.3 Hospitalization. In the event a Juvenile is hospitalized, the County will advise the City. The City's Representative will advise the County accordingly if the City will be providing the security or requests the County to do so. If the City is to provide the custodial security, the Juvenile shall be released to the custody of the City. If the County agrees to provide the custodial security for the Juvenile, the City shall be responsible for reimbursing the County for all costs associated with the transportation and custodial security, as provided in Section 9.
- 10.4 Emergency/Non-emergent Care (outside) Facility – Notification. The County will use reasonable efforts to notify the City within four (4) business hours of transport (Monday-Friday, 9am – 5pm) of emergent care for a Juvenile outside the Detention Facility. For non-emergent care outside of the facility, the County will use reasonable efforts to notify the City before noon on the next business day after the transport occurs. Lack of notice will not relieve the City of its reimbursement obligations to Kitsap County.
- 10.5 No Waiver of Right to Seek Reimbursement. Nothing in this Agreement shall be construed to waive the rights of either party to seek reimbursement for costs from the Department of Social and Health Services, or from the detainee, his or her parent/guardian, or any other responsible third-party.

SECTION 11

INSURANCE AND INDEMNIFICATION

- 11.1 Insurance. The County and City shall maintain, throughout the term of this Agreement, insurance adequate to protect both parties against claims that may arise as a result of the performance of this Agreement. Such insurance shall be placed with responsible insurers, self-insured, or carried through participation in an insurance pool at levels of coverage adequate to protect the County and the City against loss, and as ordinarily carried by municipalities engaged in similar operations. Upon request of the other party, the County and City shall provide evidence of liability coverage.
- 11.2 Indemnification. The City agrees to defend, indemnify and hold harmless the County, its appointed and elected officials, employees and agents from and against all liability, loss, cost, damage and expense whatsoever, including costs and attorney's fees in defense thereof because of actions, claims or lawsuits alleging damages sustained by any person or property including death at any time resulting thereof, arising from or alleged to have arisen from: i) the City's performance under this Agreement or as a

consequence of any wrongful or negligent acts or omission of the City, its appointed and elected officials, employees and agents; ii) the wrongful detention of a Juvenile as a result of the City's actions or failure to act; and/or iii) failure or refusal to timely release a Juvenile as a result of the City's actions or failure to act.

- 11.3 To the extent the claim, damages, losses and expenses are caused by intentional acts of or by the concurrent negligence of Kitsap County, its officers, agents, or employees, the City's indemnification obligation hereunder shall be limited to the City's proportionate share of liability as agreed to by the parties to this Agreement or determined by a court of competent jurisdiction.
- 11.4 Kitsap County agrees to defend, indemnify and hold harmless the City, its appointed and elected officials, employees and agents from and against all liability, loss, cost, damage and expense including costs and attorney's fees in defense thereof because of actions, claims or lawsuits alleging damages sustained by any person or property including death at any time resulting thereof, arising from, or alleged to have arisen from: i) Kitsap County's performance under this Agreement or as a consequence of any wrongful or negligent acts or omission of Kitsap County, its appointed and elected officials, employees and agents; ii) wrongful detention of a Juvenile as a result of Kitsap County's actions or failure to act; and/or iii) Kitsap County's failure or refusal to timely release a Juvenile.
- 11.5 To the extent the claim, damages, losses and expenses are caused by intentional acts of or by the concurrent negligence of the City, its officers, agents, or employees, Kitsap County's indemnification obligation hereunder shall be limited to Kitsap County's proportionate share of liability as agreed to by the parties to this Agreement or determined by a court of competent jurisdiction.
- 11.6 Solely for the purposes of this indemnification provision, the City expressly waives any immunity derived from Title 51 (Industrial Insurance) of the Revised Code of Washington or the City's equivalent thereof, and acknowledges that this waiver was mutually agreed upon by the parties.
- 11.8 Obligations/Notice of Claim. County will provide the City notice of the assertion of liability by a third party that may give rise to a Claim by County against the City based on the indemnity contained herein. City shall promptly advise County in writing, which shall in no event exceed 14 calendar days from the notice date, whether City accepts or denies tender of the claim. City shall reimburse County for all fees and costs of defense whether incurred before or after the notice of claim. City shall keep County timely and fully informed through all stages of the defense and promptly respond to and comply with County's requests for information. The County at all times reserves the right, but not the obligation, to participate in the defense and such participation shall not constitute a waiver of City's indemnity and defense obligations under the Contract.

SECTION 12

GOVERNING LAW

Governing Law/Venue. The Agreement, and the Juvenile(s) confined under this Agreement, shall be made under, construed in accordance with, and governed by the laws of the State of Washington, without regard to conflicts of law or choice of law provisions. Any action arising out of, related to or in connection with this Agreement shall be instituted and

maintained only in a court of competent jurisdiction in Kitsap County, Washington or as provided by RCW 36.01.050.

SECTION 13 CONTRACT REPRESENTATIVES

Unless otherwise provided herein, any required notice will be in writing and deemed given and received either on the date personally served to the other party's Contract Representative or on the third day after the date of the postmark of deposit by registered or certified first class U.S. mail, postage prepaid and properly addressed to the Contract Representative as follows:

County: Michael S. Merringer
Director
Kitsap County Juvenile and Family Court Services
Kitsap County Juvenile Service Center
1338 SW Old Clifton Road
Port Orchard, WA 98367

City: Matthew Hamner
Chief of Police
Bainbridge Island Police Department
280 Madison Avenue North
Bainbridge Island, WA 98110

SECTION 14 NON-DISCRIMINATION

The parties in the performance of this Agreement shall not discriminate against any person on the basis of race, color, creed, religion, national origin, age, sex, marital status, sexual orientation, veteran status, disability, or other circumstance prohibited by federal, state, or local law, and shall comply with Title VI of the Civil Rights Act of 1964, P.L. 88 354 and Americans with Disabilities Act of 1990.

SECTION 15 INDEPENDENT CONTRACTOR

For all purposes, each party will act in its individual capacity and not as an agent, employee, partner, joint venture, or associate of the other. An employee, agent, or subcontractor of one party shall not be deemed or construed to be the employee, agent or subcontractor of the other for any purpose whatsoever including responsibility for any federal or state tax, industrial insurance or social security liability.

SECTION 16 ACCESS AND RECORDS

16.1 Access - Detention Facility. The City shall have the right to inspect, at mutually agreeable times, the Detention Facility in order to confirm the County maintains standards acceptable to the City and that its detainees are treated appropriately. The County agrees to manage, maintain and operate its Detention Facility consistent with applicable federal, state and local laws.

16.2 Access to Juveniles. City law enforcement shall have the right to interview Juveniles at any reasonable time within the Detention Facility and the option to use the Detention Facility interview rooms.

- 16.3 Records. The County agrees to maintain a system of record keeping relative to the booking and confinement of each Juvenile consistent with the record keeping by the County for all other detainees. The County will keep records of all medical, mental health or dental services it provides to a Juvenile as required by law. The County agrees to share all information, including insurance information, regarding a Juvenile with the City as authorized by law.

SECTION 17

GENERAL PROVISIONS

- 17.1 Force Majeure. Neither party shall be in default by reason of any failure in performance of this Agreement if such failure arises out of causes beyond their reasonable control and without the fault or negligence of said party including acts of God, terrorism and other acts of public enemy, war, epidemics or quarantine restrictions.
- 17.2 No Waiver. No waiver of any right under this Agreement shall be effective unless made in writing by an authorized representative of the party to be bound thereby. Failure to insist upon full performance on any occasion shall not constitute consent to or waiver of any continuation of nonperformance or any later nonperformance; nor does payment of a billing or continued performance, after notice of a deficiency in performance, constitutes acquiescence thereto.
- 17.3 Priority. The Detention Facility policies and rules shall apply for all purposes, unless they conflict with the terms and conditions of this Agreement. In the event of conflict, this Agreement will control.
- 17.4 Modification. No supplement, modification, or amendment of any term of this Agreement will be deemed binding or effective unless in writing and signed by both parties.
- 17.5 Assignment/Delegation. Neither party may assign or delegate its rights, nor its responsibilities under this Agreement to a third party, without the prior written consent of the other party. Any purported assignment or delegation in violation of the subsection is void.
- 17.6 Severability. The provisions of this Agreement are severable. Any term or condition of the Agreement or application thereof deemed to be illegal, invalid or unenforceable, in whole or in part, shall not affect any other term or condition of the Agreement and the parties' rights and obligations will be construed and enforced as if the Agreement did not contain the particular provision.
- 17.7 Third Party Beneficiary. Nothing under this Agreement shall be construed to give any rights or benefits in the Agreement to anyone other than the County and the City, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the County and the City, and not for the benefit of any other party.
- 17.8 No Waiver. Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object to it.

- 17.9 Entire Agreement. The parties acknowledge that this Agreement is the product of negotiation between the parties and represents the entire agreement of the parties with respect to its subject matter. All previous agreements and representations, whether oral or written, entered into prior to this Agreement are hereby revoked and superseded.
- 17.10 Provisions Required by Law. Each and every provision of law and any clause required by law to be in the Agreement shall be read and enforced as though it were included herein and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.
- 17.11 Counterparts. This Agreement may be executed by the parties in any number of separate counterparts, each of which when executed and delivered shall be deemed an original, and all such counterparts shall together constitute one original document. All signatures need not be on the same counterpart.
- 17.12 Survival. Those provisions of the Agreement that by their sense and purpose should survive expiration or termination of the Agreement shall so survive such as references to compensation and indemnification. Those provisions include, but are not limited to, Sections 5 (Compensation and Billing); 6 (Presentation and Admission); 9 (Transportation and Security); 10 (Health Care); 11 (Insurance and Indemnification); 12 (Governing Law); 15 (Independent Contractor) and 17 (General Provisions).
- 17.13 Authorization. Any authorizations, actions required, or permitted to be taken, and any document required or permitted to be executed under this Agreement will be taken or executed only by a duly authorized representative of the party. Each party warrants and represents to the other that the person signing below has been properly authorized and empowered to execute this Agreement on behalf of the Party for whom they sign.

Approved and executed this _____ day of _____ 2019

CITY OF BAINBRIDGE ISLAND

Morgan Smith, City Manager

Approved and executed this _____ day of _____ 2019

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**

ATTEST:

EDWARD E. WOLFE, Chair

CHARLOTTE GARRIDO, Commissioner

Dana Daniels
Clerk of the Board

ROBERT GELDER, Commissioner

EXHIBIT A

DETENTION FACILITY INTAKE ASSESSMENT

HEALTH SERVICES INTAKE SCREENING FORM

Date:

Time:

Juvenile Name:				Age:
Legal Guardian:			Phone:	
Address:				
DOB:	Sex:	POB:	Ethnicity:	JCS #:
Hgt:	Wgt:	Hair:	Eyes:	

Examiner's Observations

1.	Unconscious	Yes	No
2.	Visible signs of trauma or illness requiring emergency medical care Describe:	Yes	No
3.	Obvious fever, swollen glands, jaundice or evidence of infection. Describe:	Yes	No
4.	Evidence of cough, coughing up blood, weight loss or night sweats. Describe:	Yes	No
5.	Poor skin condition, rash, vermin or needle marks. Describe:	Yes	No
6.	Under the influence of alcohol, or other mind-altering drugs, including inhalants (within the past 6 hours). Describe:	Yes	No
7.	Visible signs of ETOH or drug withdrawal, i.e. extreme perspiration, pinpoint pupils, shakes, nausea, vomiting or cramping. Describe:	Yes	No
8.	Behavior suggesting suicide or assault, i.e. withdrawn, suicidal thoughts, or aggressive behavior. Describe:	Yes	No
9.	Carrying medication or reporting being on medication: With you: Y ☐ N ☐ List:	Yes	No
10.	Visible signs of physical deformity. (Scars/Marks/Tattoos:) Describe:	Yes	No
11.	Allergies Describe:	Yes	No
12.	Have you had a recent head injury? Describe:	Yes	No
13.	Under the care of a Physician? With who: For what:	Yes	No
14.	Females: Are you currently pregnant? Date of last Menstrual Cycle: Method of birth Control:	Yes	No
15.	Temperature:		

Screening Officer: _____ DO# _____

EXHIBIT B

PARENTAL CONSENT FOR MEDICAL TREATMENT

KITSAP COUNTY JUVENILE DETENTION CENTER
HEALTH SERVICES

Parental Consent for Medical Treatment

I, _____, parent/legal guardian of _____, a detainee at the Kitsap County Juvenile Detention facility (KCJDF), do hereby give my consent for the routine and/or emergency medical or dental care and/or immunizations, as deemed necessary by the Health Services staff or the Detention Specialist staff.

-In the event my child develops a medical or dental problem beyond the capabilities of the KCJDF Health Services, I authorize the medical or dental facility, the medical or dental provider to which my child is referred, to evaluate and treat as indicated.

-I further authorize the medical or dental facility; the medical or dental provider to release such information as may be needed for the completion of hospital claims, to any insurer or to the KCJDF and Health Services for the determination of follow-up treatment.

-I also agree to be financially responsible for any and all medical and dental care, including prescriptions that may be necessary for my child.

-I further authorize the KCJDF staff, under the direction of the Health Services staff; to administer any approved prescription or over-the-counter medications, to my child pursuant to the prescribed medical indications and directions on the container. All approved medications given my child shall be appropriately recorded.

-Emergency medical care will be provided at Kaiser Permanente in Port Orchard, at CHI Franciscan Health Urgent Care Clinic, Port Orchard, the Emergency Room, Harrison Medical Center, Bremerton, or the Emergency Room, Naval Hospital, Bremerton, (dependent upon acuteness, urgency and eligibility for care), unless otherwise specified.

Our family physician is (Name) _____ (Phone#) _____ and, if possible, should be notified in order to provide emergency and continuing medical care for my child.

This authorization is valid from this date of this authorization until the minor has completed all detention time under this Cause Number as ordered by the Court, or until the minor has reached the age of consent.

Medical Insurance		Contract Number		Group Number	

(If possible, please attach a photocopy of the coupon or insurance card.)

Parent / Guardian / Other _____

Date _____

Time _____

DO# _____

Detention Officer / Probation Officer _____

Date _____

Time _____

VERBAL Consent

Verbal consent given by _____, parent or legal guardian of named juvenile

For the medical or dental care listed above by telephone conference with the Detention Intake Officer.

(Two Detention Officers' signatures are required when receiving verbal medical consent)

Detention Officer #1 _____ DO# _____ Date: _____ Time: _____

Detention Officer #2 _____ DO# _____ Date: _____ Time: _____

Comments: _____

***Notify parents: HIPPA rights notification is "on-line" on the Juvenile Department's webpage or they may request a printed copy.**

Are there any medical problems your child is being treated for?	Yes	No
If yes, describe; _____		
Is your child taking any medication?	Yes	No
If yes, describe; _____		
Is there any important information we should know about your child?	Yes	No
If yes, describe; _____		
Does your child have any food/drug allergies or require any special needs while in detention?		
If yes, describe; _____		

Have visitation times and procedure been explained?	Yes	No
Has court time and/or probable cause weekend procedure been explained?	Yes	No

Is the child in special education or does the child have an IEP (Individual Education Plan) at school?	Yes	No
Does the child receive SSI (Supplemental Security Income)?	Yes	No
Does the Child have a DDD (Division of Developmental Disabilities) Case Manager?	Yes	No

Case Managers name: _____



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:10 PM) Process to Select Facilitator for Community Workshop on Youth Mental Health - Mayor Medina,

STRATEGIC PRIORITY: Healthy and Attractive Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION:

I move to delegate the selection of a facilitator for the planned community workshop on youth mental health to the Mayor and Deputy Mayor.

SUMMARY:

To discuss whether the selection of a facilitator for the planned community workshop on youth mental health can be delegated to the Mayor and Deputy Mayor, in coordination with City staff.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	No

BACKGROUND: At the City Council Business Meeting on Dec. 13, 2018, the Council decided to provide City funding for a facilitator to plan and coordinate a community workshop on youth mental health issues. The purpose of the workshop will be to engage community organizations that provide services in this field to identify gaps in service and opportunities for new initiatives and partnerships.

As a first step, the City Council directed the City Manager to identify options for the facilitator, and to bring those options to the City Council for review and selection.

In the interest of moving this project forward as quickly as possible, the Mayor would like to discuss whether the Council is willing to delegate the task of selecting a facilitator to the Mayor and Deputy Mayor, in coordination with City staff.

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s): General Fund

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:20 PM) Discuss Recent Complaint against Councilmember - Mayor Medina,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION:

Discussion.

SUMMARY:

The Council will discuss a complaint the City received in 2018 related to property owned by Councilmember Nassar.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

In January, 2018, the City received a complaint via SeeClickFix related to property owned by Councilmember Nassar. The Council will have a discussion about the complaint, including that this is an administrative matter that is being addressed by staff, as is the case with all other code enforcement actions.

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (8:30 PM) Agenda Bill for Consent Agenda,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION:

I move to approve the Consent Agenda as presented.

SUMMARY:

Consider approval of the following Consent Agenda items:

- A. Accounts Payable and Payroll
- B. Special City Council Study Session Minutes, December 4, 2018
- C. City Council Regular Business Meeting Minutes, December 11, 2018
- D. Ordinance No. 2019-01 (Formerly Ordinance No. 2018-46), Creating a Uniform Process for the Removal and Resignation of Members of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen Advisory Committees - Mayor Medina

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME:

AGENDA ITEM: Accounts Payable and Payroll

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Finance & Administrative Services

RECOMMENDED MOTION:

Approve with Consent Agenda

SUMMARY:

Approve with Consent Agenda.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Report to Council of Cash Disbursements 01-09-19.pdf](#)

[Report to Council of Cash Disbursements 12-26-18.pdf](#)

[Payroll.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: December 24, 2018 - January 7, 2019
CITY COUNCIL: December 25, 2018 - January 8, 2019

Last check from previous run: 349399 dated 12/19/2018 issued to Westbay Auto Parts in the amount of \$265.26

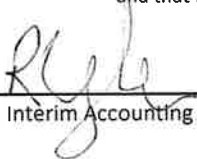
Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
EFT	12/26/18	326	WA State DOR/Excise taxes - November 2018	13,578.15
ACH	12/26/18	327	COBI/Utility billing - December 2018	4,025.00
ACH	01/02/19	328	WA State DOL/Concealed weapon permits - December 2018	252.00
VOID	12/19/18	349397	PCD/Toshiba/Issued to wrong vendor	N/A
VOID	01/09/19	349415	EX/American Floor Mats/Issued to wrong vendor	N/A
VOID	01/09/19	349436	Innovac/Retainage release issued out of wrong account	N/A
Manual	12/21/18	349400	Puget Sound Energy/Citywide electric - November 2018	25,843.32
Manual	12/21/18	349401	PCD/Toshiba/Copier lease - correct vendor	353.16
Manual	12/21/18	349402	Trust for Working Landscapes/2018 LTAC: Harvest Fair	2,809.73
Manual	12/31/18	349403	EX/River Oaks Communications/Verizon franchise agreement	3,736.50
Manual	12/31/18	349404	PW/Island Hands/December 2018 janitorial services	11,116.13
Manual	12/31/18	349405	LEGAL/Law Offices of Thomas Alpaugh/Public defender - December 2018	4,375.00
Manual	01/02/19	349406	CenturyLink/Weaver PRV water telemetry	58.32
Manual	01/02/19	349407	Puget Sound Energy/Green Power contract - December 2018	903.43
Manual	01/02/19	349408	WA Water Service/Decant facility water - December 2018	134.44
Manual Checks and Electronic Disbursements				67,185.18

Regular Run	01/09/19	349409-349468	Regular Check Run	142,218.55
				209,403.73

Retainage Release	01/03/19	170	Innovac/Retainage - Lovell sewer maintenance	1,823.66
Travel Advance	N/A	N/A		N/A

Prepared and Reviewed by  Carrie Christianson, Senior Accounting Technician

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished,
the services rendered, or the labor performed as described herein and that the claim
is a just, due, and unpaid obligation against the City of Bainbridge Island,
and that I am authorized to authenticate and certify to said claim.

 Ron Logghe, Interim Accounting Manager

1/3/19
Date

EFT-Excise Nov'18

cc 1/3/17

01/03/2019 08:05 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

P 1
apcshdsb

CASH ACCOUNT: 635 111100 CASH

CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

326 12/26/2018 MANL 124 WA ST DEPT OF REVENU 227671 2018-11 12/12/2018 EFTNOV18 13,578.15
Invoice: 2018-11 NOV 18 EXCISE TAXES

783.72	91411341	553000	FINANCE - WATER EXTRNL TAXES
64.64	91421351	553000	FINANCE - SEWER - EXTRNL TAXES
4,909.89	91421351	553000	FINANCE - SEWER - EXTRNL TAXES
32.57	91421351	553000	FINANCE - SEWER - EXTRNL TAXES
14.94	91411341	553000	FINANCE - WATER EXTRNL TAXES
5.40	91411341	553000	FINANCE - WATER EXTRNL TAXES
3,157.60	91431383	553000	FINANCE - SSWM - EXTRNL TAXES
3,718.76	91411341	553000	FINANCE - WATER EXTRNL TAXES
587.21	91421351	553000	FINANCE - SEWER - EXTRNL TAXES
28.79	51011211	53110000589	PD-COMM OUTREACH-SUPPLIES
17.90	51011211	53110000589	PD-COMM OUTREACH-SUPPLIES
33.55	51011211	53110000589	PD-COMM OUTREACH-SUPPLIES
26.03	51011211	53110000589	PD-COMM OUTREACH-SUPPLIES
40.46	53011212	531100	PD-C/E-PATROL SUPPLIES
4.63	61011581	531100	PCD - C/E ADMIN SUPPLIES
12.97	72431832	53110000664	ST DOE SSWM-SUPPLIES
78.48	81011881	535500	IT - C/E COMPUTER PARTS & EQ
9.81	81011881	535500	IT - C/E COMPUTER PARTS & EQ
50.80	81011881	535500	IT - C/E COMPUTER PARTS & EQ

CHECK 326 TOTAL: 13,578.15

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 13,578.15

	COUNT	AMOUNT
TOTAL MANUAL CHECKS	1	13,578.15

*** GRAND TOTAL *** 13,578.15

01/03/2019 08:05 |CITY OF BAINBRIDGE ISLAND
 cchristianson |A/P CASH DISBURSEMENTS JOURNAL

|P 2
 |apcshdsb

JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	LINE DESC			
2018 12 400									
APP 401-213000						ACCOUNTS PAYABLE		4,522.82	
12/26/2018	EFTNOV18	EXCISE				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			13,578.15
12/26/2018	EFTNOV18	EXCISE				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		5,594.31	
12/26/2018	EFTNOV18	EXCISE				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		3,170.57	
12/26/2018	EFTNOV18	EXCISE				AP CASH DISBURSEMENTS JOURNAL			
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		290.45	
12/26/2018	EFTNOV18	EXCISE				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								13,578.15	13,578.15
APP 631-130000						DUE TO/FROM CLEARING		13,578.15	
12/26/2018	EFTNOV18	EXCISE							
APP 401-130000						DUE TO/FROM CLEARING			4,522.82
12/26/2018	EFTNOV18	EXCISE							
APP 402-130000						DUE TO/FROM CLEARING			5,594.31
12/26/2018	EFTNOV18	EXCISE							
APP 403-130000						DUE TO/FROM CLEARING			3,170.57
12/26/2018	EFTNOV18	EXCISE							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			290.45
12/26/2018	EFTNOV18	EXCISE							
SYSTEM GENERATED ENTRIES TOTAL								13,578.15	13,578.15
JOURNAL 2018/12/400 TOTAL								27,156.30	27,156.30

01/03/2019 08:05 |CITY OF BAINBRIDGE ISLAND
 cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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 |apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	400	12/26/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		290.45
001-213000				GENERAL - ACCOUNTS PAYABLE	290.45	
				FUND TOTAL	290.45	290.45
401 WATER OPERATING FUND	2018 12	400	12/26/2018			
401-130000				DUE TO/FROM CLEARING		4,522.82
401-213000				ACCOUNTS PAYABLE	4,522.82	
				FUND TOTAL	4,522.82	4,522.82
402 SEWER OPERATING FUND	2018 12	400	12/26/2018			
402-130000				DUE TO/FROM CLEARING		5,594.31
402-213000				ACCOUNTS PAYABLE	5,594.31	
				FUND TOTAL	5,594.31	5,594.31
403 STORM & SURFACE WATER FUND	2018 12	400	12/26/2018			
403-130000				DUE TO/FROM CLEARING		3,170.57
403-213000				ACCOUNTS PAYABLE	3,170.57	
				FUND TOTAL	3,170.57	3,170.57
631 CLEARING FUND	2018 12	400	12/26/2018			
631-130000				DUE TO/FROM CLEARING	13,578.15	
635-111100				CASH		13,578.15
				FUND TOTAL	13,578.15	13,578.15

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cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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|apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			290.45
401 WATER OPERATING FUND			4,522.82
402 SEWER OPERATING FUND			5,594.31
403 STORM & SURFACE WATER FUND			3,170.57
631 CLEARING FUND		13,578.15	
	TOTAL	13,578.15	13,578.15

** END OF REPORT - Generated by Carrie L. Christianson **

ACH-UB DEC'18

(C) 1/3/19

01/03/2019 08:06 | CITY OF BAINBRIDGE ISLAND
 cchristianson | A/P CASH DISBURSEMENTS JOURNAL

| P 1
 | apcshdsb

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
327	12/26/2018	MANL	103 CITY OF BAINBRIDGE I	227672	10717DEC18	12/12/2018		ACHDEC18	48.36
	Invoice: 10717DEC18								
				48.36	91011722 547500	1270 MADISON			
						GG-C/E-LIBRARY-COBI WTR/SWR			
				227673	10727DEC18	12/12/2018		ACHDEC18	1,119.67
	Invoice: 10727DEC18								
				1,119.67	91011722 547500	1270 MADISON			
						GG-C/E-LIBRARY-COBI WTR/SWR			
				227674	11015DEC18	12/12/2018		ACHDEC18	1,615.05
	Invoice: 11015DEC18								
				1,615.05	91425358 547500	1220 DONALD PLACE			
						GG-WWTP-WATER/SEWER			
				227675	1122DEC18	12/12/2018		ACHDEC18	341.25
	Invoice: 1122DEC18								
				341.25	91011215 547500	625 WINSLOW WAY			
						GG-C/E-PD-COBI WTR/SWR			
				227676	11762DEC18	12/12/2018		ACHDEC18	23.72
	Invoice: 11762DEC18								
				23.72	91011768 547500	WINSLOW WAY-DRINKG FNTN			
						GG-C/E-PARKS-WTR/SWR			
				227677	11805DEC18	12/12/2018		ACHDEC18	94.13
	Invoice: 11805DEC18								
				94.13	91011768 547500	HIGH SCHOOL & MADISON			
						GG-C/E-PARKS-WTR/SWR			
				227678	11806DEC18	12/12/2018		ACHDEC18	48.36
	Invoice: 11806DEC18								
				48.36	91011768 547500	MADISON & HIGH SCHOOL			
						GG-C/E-PARKS-WTR/SWR			
				227679	11982DEC18	12/12/2018		ACHDEC18	466.42
	Invoice: 11982DEC18								
				466.42	91011189 547500	280 MADISON AVENUE N			
						GG-C/E-CITY HALL-COBI WTR/SWR			
				227680	11983DEC18	12/12/2018		ACHDEC18	21.29
	Invoice: 11983DEC18								
				21.29	91011189 547500	280 MADISON AVENUE N			
						GG-C/E-CITY HALL-COBI WTR/SWR			
				227681	12754DEC18	12/12/2018		ACHDEC18	246.75
	Invoice: 12754DEC18								
				246.75	91011768 547500	WINSLOW WAY E			
						GG-C/E-PARKS-WTR/SWR			
CHECK								327 TOTAL:	4,025.00

01/03/2019 08:06 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

|P 2
|apcshdsb

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 4,025.00

	COUNT	AMOUNT
TOTAL MANUAL CHECKS	1	4,025.00

*** GRAND TOTAL *** 4,025.00

01/03/2019 08:06 |CITY OF BAINBRIDGE ISLAND
 cchristianson |A/P CASH DISBURSEMENTS JOURNAL

|P 3
 |apcshdsb

JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	401								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		2,409.95	
12/26/2018	ACHDEC18	UB				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			4,025.00
12/26/2018	ACHDEC18	UB				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		1,615.05	
12/26/2018	ACHDEC18	UB				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								4,025.00	4,025.00
APP 631-130000						DUE TO/FROM CLEARING		4,025.00	
12/26/2018	ACHDEC18	UB							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			2,409.95
12/26/2018	ACHDEC18	UB							
APP 402-130000						DUE TO/FROM CLEARING			1,615.05
12/26/2018	ACHDEC18	UB							
SYSTEM GENERATED ENTRIES TOTAL								4,025.00	4,025.00
JOURNAL 2018/12/401 TOTAL								8,050.00	8,050.00

01/03/2019 08:06
cchristianson

|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

|P 4
|apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	401	12/26/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		2,409.95
001-213000				GENERAL - ACCOUNTS PAYABLE	2,409.95	
				FUND TOTAL	2,409.95	2,409.95
402 SEWER OPERATING FUND	2018 12	401	12/26/2018			
402-130000				DUE TO/FROM CLEARING		1,615.05
402-213000				ACCOUNTS PAYABLE	1,615.05	
				FUND TOTAL	1,615.05	1,615.05
631 CLEARING FUND	2018 12	401	12/26/2018			
631-130000				DUE TO/FROM CLEARING	4,025.00	
635-111100				CASH		4,025.00
				FUND TOTAL	4,025.00	4,025.00

01/03/2019 08:06
cchristianson

|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

|P 5
|apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			2,409.95
402 SEWER OPERATING FUND			1,615.05
631 CLEARING FUND		4,025.00	
	TOTAL	4,025.00	4,025.00

** END OF REPORT - Generated by Carrie L. Christianson **

ACH-FA DEC '18
C01/3/19

01/03/2019 09:43 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

|P 1
|apcshdsb

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

328	01/02/2019	MANL	969 WA ST DEPT OF LICENS	228028	DEC18CPL	12/31/2018		ACHFA12	252.00

Invoice: DEC18CPL

DEC18 CPL TRANSMITTAL

252.00 41654860 586000 GUN PERMIT OUT

CHECK	328	TOTAL:	252.00

NUMBER OF CHECKS	1	*** CASH ACCOUNT TOTAL ***	252.00

COUNT	AMOUNT

TOTAL MANUAL CHECKS	1	252.00

*** GRAND TOTAL ***	252.00

JOURNAL ENTRIES TO BE CREATED
CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2019 1 38									
APP 650-213000						ACCOUNTS PAYABLE		252.00	
01/02/2019	ACHFA12	FA DEC				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			252.00
01/02/2019	ACHFA12	FA DEC				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								252.00	252.00
APP 631-130000						DUE TO/FROM CLEARING		252.00	
01/02/2019	ACHFA12	FA DEC							
APP 650-130000						DUE TO/FROM CLEARING			252.00
01/02/2019	ACHFA12	FA DEC							
SYSTEM GENERATED ENTRIES TOTAL								252.00	252.00
JOURNAL 2019/01/38 TOTAL								504.00	504.00

FUND	ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
631	CLEARING FUND	2019	1	38	01/02/2019			
	631-130000					DUE TO/FROM CLEARING	252.00	
	635-111100					CASH		252.00
						FUND TOTAL	252.00	252.00
650	AGENCY FUND	2019	1	38	01/02/2019			
	650-130000					DUE TO/FROM CLEARING		252.00
	650-213000					ACCOUNTS PAYABLE	252.00	
						FUND TOTAL	252.00	252.00

FUND		DUE TO	DUE FROM
		252.00	
631	CLEARING FUND		252.00
650	AGENCY FUND		
TOTAL		252.00	252.00

** END OF REPORT - Generated by Carrie L. Christianson **

VOID

KW
12/20/18

12/20/2018 10:37 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349397	12/19/2018	VOID	1970 TOSHIBA AMERICA BUSI	227773	23882085	12/12/2018			-353.16
Invoice: 23882085						PCD/E-STUDIO6560C COPIER LEASE			
						PCD - C/E ADMIN SUPPLIES			
-353.16 61011581 531100									
CHECK 349397 TOTAL:								-353.16	
NUMBER OF CHECKS 1						*** CASH ACCOUNT TOTAL ***		-353.16	
						COUNT	AMOUNT		
						-----	-----		
TOTAL VOIDED CHECKS						1	353.16		
*** GRAND TOTAL ***								-353.16	

Issued to wrong vendor

12/20/2018 10:37 |CITY OF BAINBRIDGE ISLAND
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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	286								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE			353.16
12/20/2018	349397	VOID				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH		353.16	
12/20/2018	349397	VOID				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								353.16	353.16
APP 631-130000						DUE TO/FROM CLEARING			353.16
12/20/2018	12/23/16	VOID							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING		353.16	
12/20/2018	12/23/16	VOID							
SYSTEM GENERATED ENTRIES TOTAL								353.16	353.16
JOURNAL 2018/12/286 TOTAL								706.32	706.32

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fintemp

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	286	12/20/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING	353.16	
001-213000				GENERAL - ACCOUNTS PAYABLE		353.16
				FUND TOTAL	353.16	353.16
631 CLEARING FUND	2018 12	286	12/20/2018			
631-130000				DUE TO/FROM CLEARING		353.16
635-111100				CASH	353.16	
				FUND TOTAL	353.16	353.16

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fintemp

|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			353.16
631 CLEARING FUND		353.16	
	TOTAL	353.16	353.16

** END OF REPORT - Generated by Khammy Wahaus **

VOID
cc 1/2/19

RL
1/2/19

01/02/2019 13:51 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349415 01/09/2019 VOID 7336 AMERICAN FLOOR MATS 227988 240-002-000-4 12/19/2018 -380.00
Invoice: 240-002-000-4 EX/PROF SVCS: SAFE MOBILITY
-380.00 31011572 54245000957 SAFE MOBILITY LEVY-OUTREACH

CHECK 349415 TOTAL: -380.00

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** -380.00

	COUNT	AMOUNT
TOTAL VOIDED CHECKS	1	380.00

*** GRAND TOTAL *** -380.00

Check paid to vendor 7336 in error.
Should have been 8336. Voided
Check AND invoice. Will process on
next check run.

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JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2019 1 34								
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			380.00
01/02/2019	349415	VOID			AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100					CASH		380.00	
01/02/2019	349415	VOID			AP CASH DISBURSEMENTS JOURNAL			
					GENERAL LEDGER TOTAL		380.00	380.00
APP 631-130000					DUE TO/FROM CLEARING			380.00
01/02/2019	01/06/19	VOID						
APP 001-130000					GENERAL - DUE TO/FROM CLEARING		380.00	
01/02/2019	01/06/19	VOID						
					SYSTEM GENERATED ENTRIES TOTAL		380.00	380.00
					JOURNAL 2019/01/34 TOTAL		760.00	760.00

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2019 1	34	01/02/2019			
001-130000				GENERAL - DUE TO/FROM CLEARING	380.00	
001-213000				GENERAL - ACCOUNTS PAYABLE		380.00
				FUND TOTAL	380.00	380.00
631 CLEARING FUND	2019 1	34	01/02/2019			
631-130000				DUE TO/FROM CLEARING		380.00
635-111100				CASH	380.00	
				FUND TOTAL	380.00	380.00

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|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			380.00
631 CLEARING FUND		380.00	
	TOTAL	380.00	380.00

** END OF REPORT - Generated by Carrie L. Christianson **

01/02/2019 13:53 |CITY OF BAINBRIDGE ISLAND
cchristianson |MODIFY INVOICES

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|apinmnt

CLERK: cchristianson

INVOICE HEADER CHANGED

VENDOR DOCUMENT	CHECK RUNVOUCHER	DEPT	YR/PER	CASH ACCOUNT	TYPE	INV DATE	DISCOUNT AMOUNT	ERROR
					STAT	DUE DATE	INVOICE NET	
007336 74516		227988	410012018	12 635	111100 INV	12/19/2018	.00	
AMERICAN FLOOR MATS	RMT: 0 EX/PROF SVCS: SAFE MOBILITY					01/09/2019	380.00	
INVOICE: 240-002-000-4								
31011572 542450 00957 LEVY LIFT				7 N 1		380.00		

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cchristianson |MODIFY INVOICES

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|apinvmnt

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YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2019 12	3							
APM 31011572-542450-00957					SAFE MOBILITY LEVY-OUTREACH			380.00
12/31/2019 VOID INV		007336		74516	EX/PROF SVCS: SAFE MOBILIT			
					1 GENERAL LEDGER TOTAL		.00	380.00
APM 001-213000					GENERAL - ACCOUNTS PAYABLE		380.00	
12/31/2019 VOID INV		007336						
					1 TOTAL		380.00	.00
					SYSTEM GENERATED ENTRIES TOTAL		380.00	.00
					JOURNAL 2019/12/3 TOTAL		380.00	380.00
2019 12	3							
APM 001-292200					EXPENDITURE CONTROL			380.00
12/31/2019 VOID INV		007336						

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FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2019 12	3	12/31/2019			
001-213000				GENERAL - ACCOUNTS PAYABLE	380.00	
001-292200				EXPENDITURE CONTROL		380.00
FUND TOTAL					380.00	380.00

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01/02/2019 14:49 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

VOID
② 1/3/19

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1/3/19

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349436	01/09/2019	VOID	8498 LKP, INC.	227992	RETREL-721-2018	12/31/2018			-1,823.69
Invoice: RETREL-721-2018						RET REL-LOVELL SWR MAINT			
				-1,823.69	41628860 586000	RETAINAGE RELEASE			
								CHECK 349436 TOTAL:	-1,823.69
NUMBER OF CHECKS 1								*** CASH ACCOUNT TOTAL ***	-1,823.69
						COUNT	AMOUNT		
TOTAL VOIDED CHECKS						1	1,823.69		
								*** GRAND TOTAL ***	-1,823.69

Retainage check issued from wrong
bank account. Voided check & invoice
in order to record correctly.

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JOURNAL ENTRIES TO BE CREATED

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YEAR	PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC	ACCOUNT					LINE DESC			
	EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2019	1	35							
APP 622-213000						ACCOUNTS PAYABLE			1,823.69
	01/09/2019	349436	VOID			AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH		1,823.69	
	01/09/2019	349436	VOID			AP CASH DISBURSEMENTS JOURNAL			
						GENERAL LEDGER TOTAL		1,823.69	1,823.69
APP 631-130000						DUE TO/FROM CLEARING			1,823.69
	01/09/2019	01/06/19	VOID						
APP 622-130000						DUE TO/FROM CLEARING		1,823.69	
	01/09/2019	01/06/19	VOID						
						SYSTEM GENERATED ENTRIES TOTAL		1,823.69	1,823.69
						JOURNAL 2019/01/35	TOTAL	3,647.38	3,647.38

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
622	EXPENDABLE TRUST FUND	2019	1	35	01/09/2019			
	622-130000					DUE TO/FROM CLEARING	1,823.69	
	622-213000					ACCOUNTS PAYABLE		1,823.69
						FUND TOTAL	1,823.69	1,823.69
631	CLEARING FUND	2019	1	35	01/09/2019			
	631-130000					DUE TO/FROM CLEARING		1,823.69
	635-111100					CASH	1,823.69	
						FUND TOTAL	1,823.69	1,823.69

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
622 EXPENDABLE TRUST FUND			1,823.69
631 CLEARING FUND		1,823.69	
	TOTAL	1,823.69	1,823.69

** END OF REPORT - Generated by Carrie L. Christianson **

01/02/2019 14:51 |CITY OF BAINBRIDGE ISLAND
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INVOICE HEADER CHANGED

VENDOR DOCUMENT	CHECK RUNVOUCHER	DEPT	YR/PER	CASH ACCOUNT	TYPE	INV DATE	DISCOUNT AMOUNT	ERROR
					STAT	DUE DATE	INVOICE NET	
008498 74520		227992	410012018	12 635	111100 INV	12/31/2018	.00	
INNOVAC	RMT: 0 RET REL-LOVELL SWR MAINT					01/09/2019	1,823.69	
INVOICE: RETREL-721-2018								
41628860 586000	DEP OUT			N 1		1,823.69		

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YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2018 12	393							
APM 41628860-586000					RETAINAGE RELEASE			1,823.69
12/31/2018	VOID INV	008498		74520	RET REL-LOVELL SWR MAINT			
					1 GENERAL LEDGER TOTAL		.00	1,823.69
APM 622-213000					ACCOUNTS PAYABLE		1,823.69	
12/31/2018	VOID INV	008498						
					1 TOTAL		1,823.69	.00
					SYSTEM GENERATED ENTRIES TOTAL		1,823.69	.00
					JOURNAL 2018/12/393	TOTAL	1,823.69	1,823.69
2018 12	393							
APM 622-292200					EXPENDITURE CONTROL			1,823.69
12/31/2018	VOID INV	008498						

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cchristianson |MODIFY INVOICES

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FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
622 EXPENDABLE TRUST FUND	2018 12	393	12/31/2018			
622-213000				ACCOUNTS PAYABLE	1,823.69	
622-292200				EXPENDITURE CONTROL		1,823.69
				FUND TOTAL	1,823.69	1,823.69

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Manual

 RW
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 12/21/2018 10:56 |CITY OF BAINBRIDGE ISLAND
 fintemp |A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 635			111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
349400	12/21/2018	PRTD	1205 PUGET SOUND ENERGY	227817	828NOV18	12/03/2018		M121918	163.86	
Invoice: 828NOV18				163.86	91415345 547100	TAYLOR WELLS LID17 PHASE 1				
						GG-ROCKAWAY BCH-UTILITIES				
Invoice: IL3NOV18				227818	IL3NOV18	12/03/2018		M121918	29.46	
				29.46	91111263 547100	ROUNDABOUTS HS/MADISON IMPR				
						GG-STRT-STREET LIGHTING-UTIL				
Invoice: 647NOV18				227819	647NOV18	12/03/2018		M121918	45.76	
				45.76	91111263 547100	STREET LIGHTS/TRAFFIC CONTR				
						GG-STRT-STREET LIGHTING-UTIL				
Invoice: IL9NOV18				227820	IL9NOV18	12/03/2018		M121918	107.34	
				107.34	91111263 547100	MADISON AVENUE SOUTH				
						GG-STRT-STREET LIGHTING-UTIL				
Invoice: 285NOV18				227821	285NOV18	12/03/2018		M121918	182.88	
				182.88	91421355 547100	SPS NORTHTOWN/SPORTSMAN				
						GG-SWR-ELECTRIC				
Invoice: 735NOV18				227822	735NOV18	12/03/2018		M121918	59.38	
				59.38	91011768 547100	SHANNON DRIVE/WFP DOCK				
						GG-C/E-PARKS-ELECTRIC				
Invoice: 182NOV18				227823	182NOV18	12/03/2018		M121918	63.01	
				63.01	91011255 547100	MUNICIPAL COURT - METER E6				
						GG-C/E-COURT BLDG-ELECTRIC				
Invoice: 058NOV18				227824	058NOV18	12/03/2018		M121918	29.23	
				29.23	91011897 547100	NE HIDDEN COVE-SHOP				
						GG-C/E-O&M YARD FAC-ELECTRIC				
Invoice: 973NOV18				227825	973NOV18	12/03/2018		M121918	12.59	
				12.59	91415345 547100	OC RESERVOIR LID17 PHASE 2				
						GG-ROCKAWAY BCH-UTILITIES				
Invoice: 558NOV18				227826	558NOV18	12/03/2018		M121918	2,226.11	
				2,226.11	91011897 547100	7315 NE HIDDEN COVE ROAD				
						GG-C/E-O&M YARD FAC-ELECTRIC				
Invoice: 336NOV18				227827	336NOV18	12/03/2018		M121918	136.64	
				136.64	91421355 547100	SLS-9 ISLAND TERRACE				
						GG-SWR-ELECTRIC				
Invoice: IL11NOV18				227828	IL11NOV18	12/03/2018		M121918	20.87	
				20.87	91111263 547100	STREET LIGHTS WW MAD TO 305				
						GG-STRT-STREET LIGHTING-UTIL				
Invoice: 520-330NOV18				227829	520-330NOV18	12/03/2018		M121918	50.23	
				50.23	91011768 547100	210 WINSLOW WAY E IRRIGATION				
						GG-C/E-PARKS-ELECTRIC				

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CASH ACCOUNT: 635			111100		CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN			NET	
INVOICE DTL DESC												
Invoice: 823NOV18				227830	823NOV18	12/03/2018		M121918			10.42	
				10.42	91011768 547100	BRIAN DRIVE N/BOOTH EL PANEL						
						GG-C/E-PARKS-ELECTRIC						
Invoice: 628NOV18				227831	628NOV18	12/03/2018		M121918			28.60	
				28.60	91111263 547100	MUNIC PARKING LOT-MADISON/MADRONA						
						GG-STRT-STREET LIGHTING-UTIL						
Invoice: 736NOV18				227832	736NOV18	12/03/2018		M121918			69.66	
				69.66	91011768 547100	SHANNON DRIVE/WFP RESTRM						
						GG-C/E-PARKS-ELECTRIC						
Invoice: 040-581NOV18				227833	040-581NOV18	12/03/2018		M121918			129.37	
				129.37	91421355 547100	3900 HALLS HILL ROAD PUMP						
						GG-SWR-ELECTRIC						
Invoice: 884NOV18				227834	884NOV18	12/03/2018		M121918			144.23	
				144.23	91421355 547100	SLS FERRY TERMINAL						
						GG-SWR-ELECTRIC						
Invoice: 111NOV18				227835	111NOV18	12/03/2018		M121918			384.84	
				384.84	91011215 547100	POLICE STATION-METER 2						
						GG-C/E-PD-ELECTRIC						
Invoice: 717NOV18				227836	717NOV18	12/03/2018		M121918			239.52	
				239.52	91011215 547100	POLICE STATION-METER 1						
						GG-C/E-PD-ELECTRIC						
Invoice: 520-374NOV18				227837	520-374NOV18	12/03/2018		M121918			65.50	
				65.50	91111264 547100	SIGNAL AT 108 OLYMPIC DR SE						
						GG-STREET-TRAF CONTROL-UTILITY						
Invoice: 520-136NOV18				227838	520-136NOV18	12/03/2018		M121918			2,194.31	
				2,194.31	91411345 547100	HOB BOOSTER PUMP/WELL						
						GG-WTR-ELECTRIC						
Invoice: IL5NOV18				227839	IL5NOV18	12/03/2018		M121918			99.71	
				99.71	91111263 547100	COMMODORE OFF HS @ OLYMPIC						
						GG-STRT-STREET LIGHTING-UTIL						
Invoice: 021NOV18				227840	021NOV18	12/03/2018		M121918			96.11	
				96.11	91421355 547100	SLS-3 TREATMENT PLANT						
						GG-SWR-ELECTRIC						
Invoice: 291NOV18				227841	291NOV18	12/03/2018		M121918			14.30	
				14.30	91411345 547100	HEAD OF THE BAY WELL FIELD						
						GG-WTR-ELECTRIC						
Invoice: 031NOV18				227842	031NOV18	12/03/2018		M121918			116.89	
				116.89	91421355 547100	SLS-6 LOVELL LOWER						
						GG-SWR-ELECTRIC						

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fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH			VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE VENDOR NAME	INVOICE DTL DESC					
Invoice: IL12NOV18			227843	IL12NOV18	12/03/2018		M121918	73.13
			73.13	91111263 547100	STREET LIGHTS WW 305-FRNCCLFF GG-STRT-STREET LIGHTING-UTIL			
Invoice: 573NOV18			227844	573NOV18	12/03/2018		M121918	12.50
			12.50	91411345 547100	COMMODORE/HS RESERVOIR GG-WTR-ELECTRIC			
Invoice: 040-714NOV18			227845	040-714NOV18	12/03/2018		M121918	10.42
			10.42	91021182 547100	7095 NE TWIN PONDS RD GG-OS-PROP MNGT-ELECTRIC			
Invoice: 206NOV18			227846	206NOV18	12/03/2018		M121918	386.04
			386.04	91421355 547100	4586 POINT WHITE DRIVE NE GG-SWR-ELECTRIC			
Invoice: 256NOV18			227847	256NOV18	12/03/2018		M121918	344.48
			344.48	91421355 547100	SLS-8 HWY 305/HARBORVIEW GG-SWR-ELECTRIC			
Invoice: 636NOV18			227848	636NOV18	12/03/2018		M121918	69.10
			69.10	91421355 547100	SLS-7 WING POINT WAY GG-SWR-ELECTRIC			
Invoice: 888NOV18			227849	888NOV18	12/03/2018		M121918	214.58
			214.58	91411345 547100	NE HIGH SCHOOL ROAD PUMP GG-WTR-ELECTRIC			
Invoice: 658NOV18			227850	658NOV18	12/03/2018		M121918	53.30
			53.30	91421355 547100	SLS-4 IRENE/LOWER HAWLEY GG-SWR-ELECTRIC			
Invoice: 520-298NOV18			227851	520-298NOV18	12/03/2018		M121918	270.69
			270.69	91421355 547100	SLS-5 WW/SUNDAY COVE GG-SWR-ELECTRIC			
Invoice: 640NOV18			227852	640NOV18	12/03/2018		M121918	15.01
			15.01	91011768 547100	BRIAN DRIVE S/VOOTH EL PANEL GG-C/E-PARKS-ELECTRIC			
Invoice: 983NOV18			227853	983NOV18	12/03/2018		M121918	11.38
			11.38	91111264 547100	MILLER ROAD NE BEACON GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 067NOV18			227854	067NOV18	12/03/2018		M121918	10.42
			10.42	91111263 547100	MADISON PARKING LOT GG-STRT-STREET LIGHTING-UTIL			
Invoice: IL7NOV18			227855	IL7NOV18	12/03/2018		M121918	73.59
			73.59	91111263 547100	MADISON PRJ HS TO WINSLOW II GG-STRT-STREET LIGHTING-UTIL			

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CASH ACCOUNT: 635			111100	CASH					
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: 466NOV18				227856	466NOV18	12/03/2018		M121918	10.42
				10.42	91111264 547100	MADISON/HS RAINBRINGER GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 093NOV18				227857	093NOV18	12/03/2018		M121918	2,355.83
				2,355.83	91411345 547100	FLETCHER BAY WELL FIELD GG-WTR-ELECTRIC			
Invoice: 444NOV18				227858	444NOV18	12/03/2018		M121918	525.86
				525.86	91011755 547100	BI COMMONS GG-C/E-COMMONS-ELECTRIC			
Invoice: 461NOV18				227859	461NOV18	12/03/2018		M121918	6,287.04
				6,287.04	91425358 547100	WWTP GG-WWTP-ELECTRIC			
Invoice: WW&305NOV18				227860	WW&305NOV18	12/03/2018		M121918	510.82
				510.82	91111264 547100	WINSLOW WAY & 305 GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 831NOV18				227861	831NOV18	12/03/2018		M121918	3,325.59
				3,325.59	91411345 547100	SANDS AVENUE NE WELL FIELD GG-WTR-ELECTRIC			
Invoice: 797NOV18				227862	797NOV18	12/03/2018		M121918	164.22
				164.22	91011255 547100	MUNICIPAL COURT - METER E3 GG-C/E-COURT BLDG-ELECTRIC			
Invoice: 247NOV18				227863	247NOV18	12/03/2018		M121918	12.59
				12.59	91435838 547100	SSWM/DECANT FACILITY GG-DECANT-ELECTRIC			
Invoice: 143NOV18				227864	143NOV18	12/03/2018		M121918	10.42
				10.42	91111264 547100	REITAN ROAD/WELCOME TO BI GG-STREET-TRAF CONTROL-UTILITY			
Invoice: IL1NOV18				227865	IL1NOV18	12/03/2018		M121918	215.93
				215.93	91111263 547100	ERCKSN/MDSN/WNSLW/KNCHTL GG-STRT-STREET LIGHTING-UTIL			
Invoice: 710NOV18				227866	710NOV18	12/03/2018		M121918	152.23
				152.23	91421355 547100	SLS-2 VILLAGE CENTER GG-SWR-ELECTRIC			
Invoice: 893NOV18				227867	893NOV18	12/03/2018		M121918	693.23
				693.23	91111263 547100	MUNICIPAL STREET LIGHTING - #LITES GG-STRT-STREET LIGHTING-UTIL			
Invoice: 040-751NOV18				227868	040-751NOV18	12/03/2018		M121918	11.05
				11.05	91411345 547100	520 ERICKSEN AVENE PRV GG-WTR-ELECTRIC			

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CASH ACCOUNT: 635 111100 CASH			VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE VENDOR NAME	INVOICE DTL DESC					
Invoice: SPRINGNOV18			227869	SPRINGNOV18	12/03/2018		M121918	50.97
					SPRINGRIDGE RD/HANSEN HILL			
			50.97	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: LYNCTRNOV18			227870	LYNCTRNOV18	12/03/2018		M121918	84.04
					4238 LYNNWOOD CENTER RD, BLOSSOM HILL			
			84.04	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: BKLYN&MADNOV18			227871	BKLYN&MADNOV18	12/03/2018		M121918	13.74
					NEW BROOKLYN & MAD AVE-STREET LIGHT			
			13.74	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: 2360-MADNOV18			227872	2360-MADNOV18	12/03/2018		M121918	13.74
					2360 MAD AVE N - E. ENTRNCE ST LGHT			
			13.74	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: MAD&ORDNOV18			227873	MAD&ORDNOV18	12/03/2018		M121918	13.74
					MADISON AVE N, ORDWAY CROSS-ST LGHT			
			13.74	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: BKLYN&NTOWNNOV18			227874	BKLYN&NTOWNNOV18	12/03/2018		M121918	13.74
					NEW BROOKLYN & N. TOWN-ST. LIGHT			
			13.74	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: WING&AZALEANOV18			227875	WING&AZALEANOV18	12/03/2018		M121918	11.32
					WING POINT & AZALEA AVE NE-ST. LIGHT			
			11.32	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: W.OFMAD-PH1NOV18			227876	W.OFMAD-PH1NOV18	12/03/2018		M121918	940.29
					W. OF MADISON-BAINBRIDGE CO PH1			
			940.29	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: E.OFMAD-PH2NOV18			227877	E.OFMAD-PH2NOV18	12/03/2018		M121918	1,864.69
					E. OF MADISON-BAINBRIDGE CO PH2			
			1,864.69	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: MAD&H.S.NOV18			227878	MAD&H.S.NOV18	12/03/2018		M121918	43.61
					MADISON AVE/H.S. AVE - ST LGHT			
			43.61	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
Invoice: 2665NOV18			227879	2665NOV18	12/03/2018		M121918	180.84
					301 SHANNON DR SE, BAINBRIDGE ISLAND - WFP			
			180.84	91011768 547100	GG-C/E-PARKS-ELECTRIC			
Invoice: 2681NOV18			227880	2681NOV18	12/03/2018		M121918	10.73
					BJUNE WTRFRT PK BOOTH EL PANEL			
			10.73	91011768 547100	GG-C/E-PARKS-ELECTRIC			
Invoice: 2996NOV18			227881	2996NOV18	12/03/2018		M121918	17.50
					965 WEAVER RD NW			
			17.50	91411345 547100	GG-WTR-ELECTRIC			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME					
INVOICE DTL DESC								
Invoice: 3010NOV18				227882	3010NOV18	12/03/2018	M121918	10.64
							BJUNE WTRFRT PK BOOTH EL PANEL #3	
				10.64	91011768 547100		GG-C/E-PARKS-ELECTRIC	
Invoice: 3028NOV18				227883	3028NOV18	12/03/2018	M121918	11.78
							BJUNE WTRFRT PAK BOOTH EL PANEL #2	
				11.78	91011768 547100		GG-C/E-PARKS-ELECTRIC	
Invoice: 3044NOV18				227884	3044NOV18	12/03/2018	M121918	10.42
							278 WINSLOW WY E KIOSK	
				10.42	91011739 547100		COMM EVENTS-ELECTRICITY	
Invoice: 3051NOV18				227885	3051NOV18	12/03/2018	M121918	10.84
							BJUNE WTRFRT PK BOOTH EL PANEL #1	
				10.84	91011768 547100		GG-C/E-PARKS-ELECTRIC	
							CHECK 349400 TOTAL:	25,843.32
NUMBER OF CHECKS					1	*** CASH ACCOUNT TOTAL ***		25,843.32
						COUNT	AMOUNT	
TOTAL PRINTED CHECKS						1	25,843.32	
							*** GRAND TOTAL ***	25,843.32

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JOURNAL ENTRIES TO BE CREATED

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YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	297								
APP 401-213000						ACCOUNTS PAYABLE		8,322.11	
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			25,843.32
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
APP 101-213000						STREETS - ACCOUNTS PAYABLE		5,056.46	
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		8,369.00	
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		4,083.16	
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		12.59	
12/21/2018	M121918	121918				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								25,843.32	25,843.32
APP 631-130000						DUE TO/FROM CLEARING		25,843.32	
12/21/2018	M121918	121918							
APP 401-130000						DUE TO/FROM CLEARING			8,322.11
12/21/2018	M121918	121918							
APP 101-130000						STREETS - DUE TO/FROM CLEARING			5,056.46
12/21/2018	M121918	121918							
APP 402-130000						DUE TO/FROM CLEARING			8,369.00
12/21/2018	M121918	121918							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			4,083.16
12/21/2018	M121918	121918							
APP 403-130000						DUE TO/FROM CLEARING			12.59
12/21/2018	M121918	121918							
SYSTEM GENERATED ENTRIES TOTAL								25,843.32	25,843.32
JOURNAL 2018/12/297 TOTAL								51,686.64	51,686.64

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	297	12/21/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		4,083.16
001-213000				GENERAL - ACCOUNTS PAYABLE	4,083.16	
				FUND TOTAL	4,083.16	4,083.16
101 STREET FUND	2018 12	297	12/21/2018			
101-130000				STREETS - DUE TO/FROM CLEARING		5,056.46
101-213000				STREETS - ACCOUNTS PAYABLE	5,056.46	
				FUND TOTAL	5,056.46	5,056.46
401 WATER OPERATING FUND	2018 12	297	12/21/2018			
401-130000				DUE TO/FROM CLEARING		8,322.11
401-213000				ACCOUNTS PAYABLE	8,322.11	
				FUND TOTAL	8,322.11	8,322.11
402 SEWER OPERATING FUND	2018 12	297	12/21/2018			
402-130000				DUE TO/FROM CLEARING		8,369.00
402-213000				ACCOUNTS PAYABLE	8,369.00	
				FUND TOTAL	8,369.00	8,369.00
403 STORM & SURFACE WATER FUND	2018 12	297	12/21/2018			
403-130000				DUE TO/FROM CLEARING		12.59
403-213000				ACCOUNTS PAYABLE	12.59	
				FUND TOTAL	12.59	12.59
631 CLEARING FUND	2018 12	297	12/21/2018			
631-130000				DUE TO/FROM CLEARING	25,843.32	
635-111100				CASH		25,843.32
				FUND TOTAL	25,843.32	25,843.32

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FUND		DUE TO	DUE FROM
001 GENERAL FUND			4,083.16
101 STREET FUND			5,056.46
401 WATER OPERATING FUND			8,322.11
402 SEWER OPERATING FUND			8,369.00
403 STORM & SURFACE WATER FUND			12.59
631 CLEARING FUND		25,843.32	
	TOTAL	25,843.32	25,843.32

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349401 12/21/2018 PRD 6714 TOSHIBA FINANCIAL SE 227909 23882085 12/12/2018 M122018 353.16
Invoice: 23882085 PCD/E-STUDIO 6560C COPIER LEASE
353.16 61011581 531100 PCD - C/E ADMIN SUPPLIES

CHECK 349401 TOTAL: 353.16

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 353.16

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	353.16

*** GRAND TOTAL *** 353.16

CLERK: fintemp

JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	298								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		353.16	
12/21/2018	M122018	122018				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			353.16
12/21/2018	M122018	122018				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								353.16	353.16
APP 631-130000						DUE TO/FROM CLEARING		353.16	
12/21/2018	M122018	122018							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			353.16
12/21/2018	M122018	122018							
SYSTEM GENERATED ENTRIES TOTAL								353.16	353.16
JOURNAL 2018/12/298 TOTAL								706.32	706.32

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2018 12	298	12/21/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		353.16
001-213000				GENERAL - ACCOUNTS PAYABLE	353.16	
				FUND TOTAL	353.16	353.16
631 CLEARING FUND	2018 12	298	12/21/2018			
631-130000				DUE TO/FROM CLEARING	353.16	
635-111100				CASH		353.16
				FUND TOTAL	353.16	353.16

FUND		DUE TO	DUE FROM
001	GENERAL FUND		353.16
631	CLEARING FUND	353.16	
TOTAL		353.16	353.16

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349402 12/21/2018 PRD 5062 TRUST FOR WORKING LA 227925 11/28/18 12/21/2018 M122118 2,809.73
Invoice: 11/28/18 2018 LTAC: HARVEST FAIR - FINAL
2,809.73 91140573 541100 GG-TOUR-PROF SERVICES

CHECK 349402 TOTAL: 2,809.73

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 2,809.73

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	2,809.73

*** GRAND TOTAL *** 2,809.73

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JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	302								
APP 104-213000						CIVIC IMPR - ACCOUNTS PAYABLE		2,809.73	
12/21/2018	M122118	122118				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			2,809.73
12/21/2018	M122118	122118				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								2,809.73	2,809.73
APP 631-130000						DUE TO/FROM CLEARING		2,809.73	
12/21/2018	M122118	122118							
APP 104-130000						CIVIC IMPR DUE TO/FROM CLEAR'G			2,809.73
12/21/2018	M122118	122118							
SYSTEM GENERATED ENTRIES TOTAL								2,809.73	2,809.73
JOURNAL 2018/12/302 TOTAL								5,619.46	5,619.46

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
104 CIVIC IMPROVEMENT FUND	2018 12	302	12/21/2018			
104-130000				CIVIC IMPR DUE TO/FROM CLEAR'G		2,809.73
104-213000				CIVIC IMPR - ACCOUNTS PAYABLE	2,809.73	
				FUND TOTAL	2,809.73	2,809.73
631 CLEARING FUND	2018 12	302	12/21/2018			
631-130000				DUE TO/FROM CLEARING	2,809.73	
635-111100				CASH		2,809.73
				FUND TOTAL	2,809.73	2,809.73

FUND		DUE TO	DUE FROM
104	CIVIC IMPROVEMENT FUND		2,809.73
631	CLEARING FUND	2,809.73	
	TOTAL	2,809.73	2,809.73

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CASH ACCOUNT: 635 111100 CASH

CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349403 12/31/2018 PRD 2409 RIVER OAKS COMMUNICA 227946 11/26/18 & 12/11/158 12/28/2018 M122818 3,736.50

Invoice: 11/26/18 & 12/11/158

VERIZON WIRELESS FRANCHISE AGRE

3,736.50 31011131 541100

EX-GF-PROF SERVICES

CHECK 349403 TOTAL: 3,736.50

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 3,736.50

COUNT AMOUNT

TOTAL PRINTED CHECKS 1 3,736.50

*** GRAND TOTAL *** 3,736.50

JOURNAL ENTRIES TO BE CREATED

CLERK: bhuish

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	332								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		3,736.50	
12/31/2018	M122818	123118				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			3,736.50
12/31/2018	M122818	123118				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								3,736.50	3,736.50
APP 631-130000						DUE TO/FROM CLEARING		3,736.50	
12/31/2018	M122818	123118							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			3,736.50
12/31/2018	M122818	123118							
SYSTEM GENERATED ENTRIES TOTAL								3,736.50	3,736.50
JOURNAL 2018/12/332 TOTAL								7,473.00	7,473.00

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	332	12/31/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		3,736.50
001-213000				GENERAL - ACCOUNTS PAYABLE	3,736.50	
				FUND TOTAL	3,736.50	3,736.50
631 CLEARING FUND	2018 12	332	12/31/2018			
631-130000				DUE TO/FROM CLEARING	3,736.50	
635-111100				CASH		3,736.50
				FUND TOTAL	3,736.50	3,736.50

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			3,736.50
631 CLEARING FUND		3,736.50	
	TOTAL	3,736.50	3,736.50

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ca 12/31/18

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349404 12/31/2018 PRD 8646 ISLAND HANDS 227958 17445-17446 12/31/2018 21800026 M123118 11,116.13
Invoice: 17445-17446 2018 JANITORIAL SERVICE
10,771.53 73011183 54110000269 JANITORIAL CONTRACT-PRO SVCS
344.60 73425358 54110000269 JANITORIAL CONTRACT-PRO SVCS

CHECK 349404 TOTAL: 11,116.13

349405 12/31/2018 PRD 7849 LAW OFFICE OF THOMAS 227959 DEC18 12/31/2018 M123118 4,375.00
Invoice: DEC18 LEGAL/PUB DEF SVCS FOR DEC18
4,375.00 32011281 541113 LGL-PUBLIC DEFENDER

CHECK 349405 TOTAL: 4,375.00

NUMBER OF CHECKS 2 *** CASH ACCOUNT TOTAL *** 15,491.13

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	2	15,491.13

*** GRAND TOTAL *** 15,491.13

CLERK: bhuish

JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	336								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		15,146.53	
12/31/2018	M123118	123118				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			15,491.13
12/31/2018	M123118	123118				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		344.60	
12/31/2018	M123118	123118				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								15,491.13	15,491.13
APP 631-130000						DUE TO/FROM CLEARING		15,491.13	
12/31/2018	M123118	123118							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			15,146.53
12/31/2018	M123118	123118							
APP 402-130000						DUE TO/FROM CLEARING			344.60
12/31/2018	M123118	123118							
SYSTEM GENERATED ENTRIES TOTAL								15,491.13	15,491.13
JOURNAL 2018/12/336 TOTAL								30,982.26	30,982.26

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	336	12/31/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		15,146.53
001-213000				GENERAL - ACCOUNTS PAYABLE	15,146.53	
				FUND TOTAL	15,146.53	15,146.53
402 SEWER OPERATING FUND	2018 12	336	12/31/2018			
402-130000				DUE TO/FROM CLEARING		344.60
402-213000				ACCOUNTS PAYABLE	344.60	
				FUND TOTAL	344.60	344.60
631 CLEARING FUND	2018 12	336	12/31/2018			
631-130000				DUE TO/FROM CLEARING	15,491.13	
635-111100				CASH		15,491.13
				FUND TOTAL	15,491.13	15,491.13

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		15,146.53
402	SEWER OPERATING FUND		344.60
631	CLEARING FUND	15,491.13	
	TOTAL	15,491.13	15,491.13

** END OF REPORT - Generated by Matthew Brigham Huish **

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CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

349406	01/02/2019	PRTD	551 CENTURYLINK	227971	6124DEC18	12/16/2018		M010219	58.32	
Invoice: 6124DEC18						WEAVER PRV WATER TELEMETRY				
				58.32	91411891 542100	GG-WTR-FAC-PHONE				
								CHECK	349406 TOTAL:	58.32

349407	01/02/2019	PRTD	1205 PUGET SOUND ENERGY	227973	4376DEC18	12/18/2018		M010219	903.43	
Invoice: 4376DEC18						DEC18-GREEN POWER CONTRACT				
				903.43	91011189 547101	ELECTRIC-GREEN POWER				
								CHECK	349407 TOTAL:	903.43

349408	01/02/2019	PRTD	5271 WASHINGTON WATER SER	227972	4815979187-DEC18	12/18/2018		M010219	134.44	
Invoice: 4815979187-DEC18						DEC18 DECANT FACILITY WATER				
				134.44	91435838 547500	GG-DECANT-WATER/SEWER				
								CHECK	349408 TOTAL:	134.44

NUMBER OF CHECKS 3 *** CASH ACCOUNT TOTAL *** 1,096.19

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	3	1,096.19

*** GRAND TOTAL *** 1,096.19

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JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2019 1 32									
APP 401-213000						ACCOUNTS PAYABLE		58.32	
01/02/2019	M010219	010219				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			1,096.19
01/02/2019	M010219	010219				AP CASH DISBURSEMENTS JOURNAL			
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		903.43	
01/02/2019	M010219	010219				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		134.44	
01/02/2019	M010219	010219				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								1,096.19	1,096.19
APP 631-130000						DUE TO/FROM CLEARING		1,096.19	
01/02/2019	M010219	010219							
APP 401-130000						DUE TO/FROM CLEARING			58.32
01/02/2019	M010219	010219							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			903.43
01/02/2019	M010219	010219							
APP 403-130000						DUE TO/FROM CLEARING			134.44
01/02/2019	M010219	010219							
SYSTEM GENERATED ENTRIES TOTAL								1,096.19	1,096.19
JOURNAL 2019/01/32 TOTAL								2,192.38	2,192.38

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2019 1	32	01/02/2019		
001-130000			GENERAL - DUE TO/FROM CLEARING		903.43
001-213000			GENERAL - ACCOUNTS PAYABLE	903.43	
			FUND TOTAL	903.43	903.43
401 WATER OPERATING FUND	2019 1	32	01/02/2019		
401-130000			DUE TO/FROM CLEARING		58.32
401-213000			ACCOUNTS PAYABLE	58.32	
			FUND TOTAL	58.32	58.32
403 STORM & SURFACE WATER FUND	2019 1	32	01/02/2019		
403-130000			DUE TO/FROM CLEARING		134.44
403-213000			ACCOUNTS PAYABLE	134.44	
			FUND TOTAL	134.44	134.44
631 CLEARING FUND	2019 1	32	01/02/2019		
631-130000			DUE TO/FROM CLEARING	1,096.19	
635-111100			CASH		1,096.19
			FUND TOTAL	1,096.19	1,096.19

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		903.43
401	WATER OPERATING FUND		58.32
403	STORM & SURFACE WATER FUND		134.44
631	CLEARING FUND	1,096.19	
	TOTAL	1,096.19	1,096.19

** END OF REPORT - Generated by Carrie L. Christianson **

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CASH ACCOUNT: 635 111100 CASH
 CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

INV DATE PO

CHECK RUN

NET

INVOICE DTL DESC

349409	01/09/2019	PRTD	5 ACE HARDWARE	227914	42471/1	12/13/2018	01/06/19	17.43
Invoice: 42471/1				17.43	73421355 531100	PW/SHOP TOWEL 10X12		
						WIN COLL-SUPPLIES		
Invoice: 42473/1				227915	42473/1	12/13/2018	01/06/19	23.97
				23.97	73421355 531100	PW/DRYER DUCT CLEANING KIT		
						WIN COLL-SUPPLIES		
Invoice: 42463/1				227916	42463/1	12/12/2018	01/06/19	8.71
				8.71	73421355 531100	PW/STORAGE BOX - MED CLEAR		
						WIN COLL-SUPPLIES		
Invoice: 42516/1				227939	42516/1	12/19/2018	01/06/19	29.08
				29.08	73011183 531100	PW/SAUCER PLNT, 100W LED, PLUMBING FIXTURE		
						O&M-C/E-CH FAC-SUPPLIES		
Invoice: 42520/1				227940	42520/1	12/20/2018	01/06/19	16.32
				16.32	73011418 66200000770	PW/AIR FILTERS		
						CH HVAC UPGRADE-EQUIP &INSTALL		
Invoice: 42521/1				227941	42521/1	12/20/2018	01/06/19	9.24
				9.24	73411345 531100	PW/WIRE CONNECTORS		
						OFFICE SUPPLIES		
Invoice: 42519/1				227942	42519/1	12/19/2018	01/06/19	10.89
				10.89	73421355 531100	PW/WRENCH COMB		
						WIN COLL-SUPPLIES		
Invoice: 42514/1				227943	42514/1	12/19/2018	01/06/19	35.73
				35.73	73435838 53110000261	PW/PLUMBING SUPPLIES, TOTE HD		
						VINCENT RD DUMP-GRND WTR MONIT		
Invoice: 42518/1				227944	42518/1	12/19/2018	01/06/19	22.80
				22.80	73425358 531100	PW/PVC BUSHINGS		
						O&M-WWTP-SUPPLIES		
Invoice: 42537/1				227945	42537/1	12/22/2018	01/06/19	65.39
				65.39	73421355 531100	PW/FISH TAPE - 125'		
						WIN COLL-SUPPLIES		
Invoice: 42539/1				227968	42539/1	12/23/2018	01/06/19	18.28
				18.28	73421355 531100	PW/STEEL WIRE, SPRINGS (2)		
						WIN COLL-SUPPLIES		
Invoice: 42496/1				227969	42496/1	12/17/2018	01/06/19	9.46
				9.46	73011768 531100	PW/56 FASTENERS (16)		
						O&M-C/E-PARKS-SUPPLIES		
CHECK 349409 TOTAL:								267.30

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349410	01/09/2019	PRTD	2201 ACTION COMMUNICATION	227886	1811149	11/20/2018		01/06/19	408.31
Invoice: 1811149						PW/RADIO INSTALL AND WIRE AUX LIGHT			
408.31 73638594 66400000905						2018-MED. DUTY ONCALL PICKUP			
CHECK 349410 TOTAL:								408.31	
349411	01/09/2019	PRTD	8318 AG ENTERPRISE SUPPLY	227974	INV033730	12/04/2018		01/06/19	1,418.04
Invoice: INV033730						PW/STORM PREP SUPPLIES			
1,418.04 73111256 53110000902						2018 STORM PREP-STRT-SUPPLY			
CHECK 349411 TOTAL:								1,418.04	
349412	01/09/2019	PRTD	7726 AIR MANAGEMENT SOLUT	227887	0001126588	10/30/2018		01/06/19	468.70
Invoice: 0001126588						PW/CH HVAC - REPAIRS			
468.70 73011183 54810000707						CH HVAC-REPAIRS			
227888 0001126437						10/29/2018			1,333.86
Invoice: 0001126437						PW/CH HVAC - REPAIRS			
1,333.86 73011183 54810000707						CH HVAC-REPAIRS			
227889 0001126595						10/30/2018			615.86
Invoice: 0001126595						PW/CH HVAC - REPAIRS			
615.86 73011183 54810000707						CH HVAC-REPAIRS			
227890 0001126601						10/30/2018			542.28
Invoice: 0001126601						PW/CH HVAC - REPAIRS			
542.28 73011183 54810000707						CH HVAC-REPAIRS			
227891 0001126647						11/25/2018			4,969.49
Invoice: 0001126647						PW/CH HVAC - REPAIRS			
4,969.49 73011183 54810000707						CH HVAC-REPAIRS			
227892 0001126645						11/25/2018			1,493.30
Invoice: 0001126645						PW/CH HVAC - REPAIRS			
1,493.30 73011183 54810000707						CH HVAC-REPAIRS			
227893 0001125178						12/06/2018			826.01
Invoice: 0001125178						PW/CH HVAC - REPAIRS			
826.01 73011897 54810000707						PWY HVAC-REPAIRS			
CHECK 349412 TOTAL:								10,249.50	
349413	01/09/2019	PRTD	8395 ALL TRAFFIC SOLUTION	227947	SIN021879	12/18/2018		01/06/19	441.46
Invoice: SIN021879						POL/SPEED SIGN BATTERIES (2)			
441.46 51011217 531100						PD-C/E-PARKING ENF-SUPPLIES			

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CASH ACCOUNT: 635			111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME							
INVOICE DTL DESC										

CHECK 349413 TOTAL:										441.46
349414	01/09/2019	PRTD	8672 ALLSTREAM	228022	15807014	01/01/2019	01/06/19			890.93
Invoice: 15807014						JAN 19	CITYWIDE PHN SVCS			
				890.93	41637891 542100	FIN - ALLOC TELEPHONE				
CHECK 349414 TOTAL:										890.93
349415	01/09/2019	PRTD	7336 AMERICAN FLOOR MATS	227988	240-002-000-4	12/19/2018	01/06/19			380.00
Invoice: 240-002-000-4						EX/PROF SVCS: SAFE MOBILITY				
				380.00	31011572 54245000957	SAFE MOBILITY LEVY-OUTREACH				
CHECK 349415 TOTAL:										380.00
349416	01/09/2019	PRTD	4710 ASSOCIATED PETROLEU	227926	1342311-IN	11/27/2018	01/06/19			981.20
Invoice: 1342311-IN						PW/370.0 GAL DIESEL FUEL				
				981.20	73638893 532000	O&M-FUEL USE-ALLOCATION				
Invoice: 1348695-IN						12/04/2018	01/06/19			183.91
				227927	1348695-IN	PW/43.0 GAL DIESEL FUEL				
				183.91	73638893 532000	O&M-FUEL USE-ALLOCATION				
Invoice: 1350114-IN						12/06/2018	01/06/19			895.66
				227928	1350114-IN	PW/344.0 GAL DIESEL FUEL				
				895.66	73638893 532000	O&M-FUEL USE-ALLOCATION				
Invoice: 1352433-IN						12/11/2018	01/06/19			347.10
				227929	1352433-IN	PW/115.0 GAL DIESEL FUEL				
				347.10	73638893 532000	O&M-FUEL USE-ALLOCATION				
Invoice: 1356388-IN						12/18/2018	01/06/19			832.69
				227930	1356388-IN	PW/325.0 GAL DIESEL FUEL				
				832.69	73638893 532000	O&M-FUEL USE-ALLOCATION				
Invoice: 1352434-IN						12/11/2018	01/06/19			658.05
				227931	1352434-IN	PW/305.0 GAL UNLEADED				
				658.05	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				
Invoice: 1342312-IN						11/27/2018	01/06/19			897.27
				227932	1342312-IN	PW/369.0 GAL UNLEADED				
				897.27	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				
Invoice: 1346179-IN						11/29/2018	01/06/19			792.56
				227933	1346179-IN	PW/300.0 GAL UNLEADED				
				792.56	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				
Invoice: 1348696-IN						12/04/2018	01/06/19			763.13
				227934	1348696-IN	PW/324.9 GAL UNLEADED				
				763.13	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				

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CASH ACCOUNT: 635			111100	CASH					
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: 1350115-IN				227935	1350115-IN	12/06/2018		01/06/19	748.92
						PW/291.0 GAL UNLEADED			
				748.92	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
Invoice: 1353958-IN				227936	1353958-IN	12/13/2018		01/06/19	741.61
						PW/320.0 GAL UNLEADED			
				741.61	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
Invoice: 1356389-IN				227937	1356389-IN	12/18/2018		01/06/19	1,162.54
						PW/472.0 GAL UNLEADED			
				1,162.54	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
Invoice: 0187446-IN				227938	0187446-IN	12/14/2018		01/06/19	1,001.28
						PW/659.30 GAL PROPANE FUEL			
				1,001.28	91011897 547200	GG-C/E-O&M YARD FAC-PROPANE			
						CHECK	349416	TOTAL:	10,005.92
349417	01/09/2019	PRTD	54 BAINBRIDGE RENTAL IN	227917	W/O # 43003	12/13/2018		01/06/19	147.96
Invoice: W/O # 43003						PW/REPLACE HANDLE			
				147.96	73111427 548100	O&M-ACCESS RDSIDE R&M			
						CHECK	349417	TOTAL:	147.96
349418	01/09/2019	PRTD	55 SOUND PUBLISHING, IN	227975	BIR838587	12/21/2018		01/06/19	293.96
Invoice: BIR838587						PCD/PLN50933 SSDP			
				293.96	63470586 544000	CUR-DEV-ZONING-ADV			
Invoice: BIR837755				227976	BIR837755	12/14/2018		01/06/19	43.68
						CC/ORD 2018-47			
				43.68	11011113 544000	COUNCIL - LEGAL NOTICES			
Invoice: BIR837750				227977	BIR837750	12/14/2018		01/06/19	50.76
						CC/ORD 2018-45			
				50.76	11011113 544000	COUNCIL - LEGAL NOTICES			
Invoice: BIR837753				227978	BIR837753	12/14/2018		01/06/19	42.50
						CC/ORD 2018-44			
				42.50	11011113 544000	COUNCIL - LEGAL NOTICES			
Invoice: BIR837752				227979	BIR837752	12/14/2018		01/06/19	38.96
						CC/ORD 2018-20			
				38.96	11011113 544000	COUNCIL - LEGAL NOTICES			
Invoice: BIR835863				227980	BIR835863	11/30/2018		01/06/19	48.40
						CC/ORD 2018-30			
				48.40	11011113 544000	COUNCIL - LEGAL NOTICES			
				227981	BIR835861	11/30/2018		01/06/19	55.49

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: BIR835861				55.49	11011113 544000	CC/ORD 2018-40			
						COUNCIL - LEGAL NOTICES			
				227982	BIR835867	11/30/2018		01/06/19	38.96
Invoice: BIR835867				38.96	11011113 544000	CC/ORD 2018-39			
						COUNCIL - LEGAL NOTICES			
						CHECK	349418	TOTAL:	612.71
349419	01/09/2019	PRTD	5412 BENEFIT ADMINISTRATI	227967	1812513	12/19/2018		01/06/19	242.00
Invoice: 1812513						FSA/HSA SERVICES DEC18			
				29.04	21011125 520000	COURT - BENEFITS			
				33.88	31011131 520000	EX-GF-BEN			
				41.14	41011141 520000	FIN - C/E ADMIN BENEFITS			
				16.94	51011211 520000	PD-C/E ADMIN-BENEFITS			
				24.20	61011581 520000	PCD - C/E ADMIN BENEFITS			
				79.86	71011321 520000	PW - C/E BENEFITS			
				16.94	81011881 520000	IT - C/E ADMIN BENEFITS			
						CHECK	349419	TOTAL:	242.00
349420	01/09/2019	PRTD	1052 CANON SOLUTIONS AMER	227983	902776679	12/11/2018		01/06/19	72.21
Invoice: 902776679						IT/PLOTTER PAPER			
				36.11	61011581 545000	PCD - C/E ADMIN RENTS & LEASES			
				36.10	72011321 545000	ENG - C/E ADMIN RENTS & LEASES			
						CHECK	349420	TOTAL:	72.21
349421	01/09/2019	PRTD	853 KATHRYN M CARRUTHERS	227984	12/31/18	12/31/2018		01/06/19	480.00
Invoice: 12/31/18						CRT/8 HRS PRO TEMP			
				480.00	21011125 541210	COURT - JUDGE PRO TEMPORE SVCS			
						CHECK	349421	TOTAL:	480.00
349422	01/09/2019	PRTD	8253 CHS NORTHWEST	227964	30810/H	12/21/2018		01/06/19	465.43
Invoice: 30810/H						PW/50# BAGS OF SALT (50)			
				465.43	73637892 531100	O&M-ALLOC-WTR-CONSUMABLES			
				227965	30943/H	12/26/2018		01/06/19	456.12
Invoice: 30943/H						PW/50# BAGS OF SALT (49)			
				456.12	73637892 531100	O&M-ALLOC-WTR-CONSUMABLES			
						CHECK	349422	TOTAL:	921.55
349423	01/09/2019	PRTD	104 CITY OF BREMERTON	227948	BPD0002345	12/12/2018		01/06/19	200.00
Invoice: BPD0002345						POL/RANGE RENTAL			
				200.00	53011212 545000	POLICE - C/E PATROL RENTS			

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									

						CHECK	349423	TOTAL:	200.00
349424	01/09/2019	PRTD	104 CITY OF BREMERTON	227985	BKAT000463	12/18/2018		01/06/19	200.00
			Invoice: BKAT000463			IT/BKAT-SPECIAL RECORDING			
				200.00	81011881 542420	IT-C/E-TELEVISTED COUNCIL MEET			
						CHECK	349424	TOTAL:	200.00
349425	01/09/2019	PRTD	8024 CLEARWAY ENVIRONMENT	228007	18-COBI-ROCK-3	10/08/2018		01/06/19	975.00
			Invoice: 18-COBI-ROCK-3			EEL GRASS MONITORING THROUGH 1			
				975.00	72011391 54110000710	ROCKAWAY-MIT/MONITORING-P SVCS			
				228008	18-COBI-ROCK-4	11/29/2018		01/06/19	9,349.22
			Invoice: 18-COBI-ROCK-4			EEL GRASS MONITORING THROUGH 1			
				9,349.22	72011391 54110000710	ROCKAWAY-MIT/MONITORING-P SVCS			
				228009	18-COBI-ROCK-5	11/30/2018		01/06/19	8,962.50
			Invoice: 18-COBI-ROCK-5			EEL GRASS MONITORING THROUGH 1			
				8,962.50	72011391 54110000710	ROCKAWAY-MIT/MONITORING-P SVCS			
						CHECK	349425	TOTAL:	19,286.72
349426	01/09/2019	PRTD	142 COPIERS NORTHWEST IN	227970	INV1877644	12/24/2018		01/06/19	879.77
			Invoice: INV1877644			EX, FIN/CONTRACT CN24130 OVERAGE			
				439.88	31011131 545000	EX-GF-RENTS & LEASES			
				439.89	41011141 545000	FIN - C/E ADMIN RENTS & LEASES			
						CHECK	349426	TOTAL:	879.77
349427	01/09/2019	PRTD	6101 E & S BRYAN INC	227987	2430	12/31/2018		01/06/19	150.00
			Invoice: 2430			FIN/BUDGET REPORTS			
				150.00	41011141 541100	FIN - C/E ADMIN PROF SERVICES			
						CHECK	349427	TOTAL:	150.00
349428	01/09/2019	PRTD	5132 CRYSTAL SPRINGS	227918	5228674 121918	12/19/2018		01/06/19	26.06
			Invoice: 5228674 121918			CRT/WATER SERVICES			
				26.06	21011125 531100	COURT - SUPPLIES			
						CHECK	349428	TOTAL:	26.06
349429	01/09/2019	PRTD	5060 DARREL EMEL'S TREE S	227903	1401	12/10/2018	21800118	01/06/19	1,635.00
			Invoice: 1401			PW/301 SHANNON DR. TAKE DOWN AND			
				1,635.00	73111427 54810000354	TREE PRES & REMOVAL-ROADS			

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
								CHECK 349429 TOTAL:	1,635.00
349430	01/09/2019	PRTD	7144 DTMICRO, INC	228023	4172	12/15/2018		01/06/19	136.25
Invoice: 4172						OT/POL NETWORK CONNECT W/ KC-JAN 19			
				136.25	91011215 542100	GG-C/E-PD-PHONE			
								CHECK 349430 TOTAL:	136.25
349431	01/09/2019	PRTD	4174 ENVIRO-CLEAN EQUIPME	227989	S18-121404	12/14/2018		01/06/19	2,193.77
Invoice: S18-121404						PW/BROOMS FOR 228			
				2,193.77	73637945 531100	O&M ALLOC-SWEEPER-SUPPLIES			
								CHECK 349431 TOTAL:	2,193.77
349432	01/09/2019	PRTD	8709 PLATFORM DESIGN LLC	227990	01	12/19/2018		01/06/19	7,081.25
Invoice: 01						UPDATE OF CITY'S DESIGN GUIDEL			
				7,081.25	61011586 54110000930	COMP PLAN IMPL-PROF SVCS			
								CHECK 349432 TOTAL:	7,081.25
349433	01/09/2019	PRTD	231 GALLS, LLC	227949	011412415	12/04/2018		01/06/19	11.94
Invoice: 011412415						POL/TIE - GEILENFELDT			
				11.94	53011212 520000	POLICE - C/E PATROL BENEFITS			
349433	01/09/2019	PRTD	231 GALLS, LLC	227950	011412416	12/04/2018		01/06/19	254.79
Invoice: 011412416						POL/DUTY BELT, GEAR - GEILENFELDT			
				254.79	53011212 520000	POLICE - C/E PATROL BENEFITS			
349433	01/09/2019	PRTD	231 GALLS, LLC	227951	011435457	12/06/2018		01/06/19	69.30
Invoice: 011435457						POL/UNIFORMS - GEILENFELDT			
				69.30	53011212 520000	POLICE - C/E PATROL BENEFITS			
349433	01/09/2019	PRTD	231 GALLS, LLC	227952	011421116	12/04/2018		01/06/19	87.19
Invoice: 011421116						POL/FLASHLIGHT - GEILENFELDT			
				87.19	53011212 531100	PD-C/E-PATROL SUPPLIES			
349433	01/09/2019	PRTD	231 GALLS, LLC	227953	011483117	12/11/2018		01/06/19	27.47
Invoice: 011483117						POL/NAME TAGS - GEILENFELDT			
				27.47	53011212 520000	POLICE - C/E PATROL BENEFITS			
								CHECK 349433 TOTAL:	450.69
349434	01/09/2019	PRTD	2096 GRAY & OSBORNE INC	227991	17614-14	12/11/2018	21700158	01/06/19	2,861.90
Invoice: 17614-14						WATER SYSTEM DESIGN IMPRVMENTS			
				2,861.90	72413434 64110000819	WATER IMPR PROJECTS 2017-ENG			

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

CHECK 349434 TOTAL: 2,861.90

349435 01/09/2019 PRTD 8027 INFORMATION STATION 227960 1121719-P 12/18/2018 01/06/19 350.00
Invoice: 1121719-P EX/AM RADIO RENT DEC-JAN 2018/19
350.00 31011256 54500000830 EMERG AM RADIO STATION-RENTS

CHECK 349435 TOTAL: 350.00

349436 01/09/2019 PRTD 8498 LKP, INC. 227992 RETREL-721-2018 12/31/2018 01/06/19 1,823.69
Invoice: RETREL-721-2018 RET REL-LOVELL SWR MAINT
1,823.69 41628860 586000 RETAINAGE RELEASE

CHECK 349436 TOTAL: 1,823.69

349437 01/09/2019 PRTD 7961 KATY BIGELOW, ARBORI 227993 5381 11/13/2018 01/06/19 11,625.00
Invoice: 5381 REVISIONS TO BIMC CHAPTER 16.1
11,625.00 61011586 541100 PCD-ZONING/LU REGS-PROF SVCS

CHECK 349437 TOTAL: 11,625.00

349438 01/09/2019 PRTD 2306 KITSAP COUNTY PROSEC 227994 DEC18 12/04/2018 01/06/19 9,248.00
Invoice: DEC18 LEGAL/DEC18 PROSECUTION SVC
9,248.00 32011521 541112 LGL-OUTSIDE PROSECUTOR

CHECK 349438 TOTAL: 9,248.00

349439 01/09/2019 PRTD 338 KITSAP COUNTY SHERIF 227954 OCT18 12/13/2018 01/06/19 6,800.28
Invoice: OCT18 POL/PRISONER BOARD
6,800.28 51011236 551000 POLICE - C/E PRISONER DETENT'N

227955 NOV18 MEDS 12/14/2018 01/06/19 1,017.02
Invoice: NOV18 MEDS POL/PRISONER MEDICAL
1,017.02 51011236 541100 PD-C/E-PRIS DETENTION-PROF SVC

CHECK 349439 TOTAL: 7,817.30

349440 01/09/2019 PRTD 315 KITSAP HUMANE SOCIET 227996 1654 12/01/2018 01/06/19 5,596.87
Invoice: 1654 DEC18 KITSAP HUMANE SOCIETY ANNUAL C
5,596.87 91011393 541100 FIN - C/E ANIMAL CONTROL FEES

CHECK 349440 TOTAL: 5,596.87

349441 01/09/2019 PRTD 309 KITSAP TIRE CENTER I 227997 218642 12/19/2018 01/06/19 406.04
Invoice: 218642 PW/TIRES FOR #43
406.04 73011321 531100 O&M-C/E-ENG VEH WORK-SUPPLIES

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

										CHECK	349441 TOTAL:	406.04		
349442	01/09/2019	PRTD	5717 MAKERS ARCHITECTURE	227999	1807-4	10/10/2018	01/06/19			2,193.75				
Invoice: 1807-4						SEP 18 ISLAND CENTER SUBAREA PLANNING								
						2,193.75	61011586	54110000930	COMP PLAN IMPL-PROF SVCS					
										228000	1807-5	11/12/2018	01/06/19	3,570.00
Invoice: 1807-5						OCT 18 ISLAND CENTER SUBAREA PLANNING								
						3,570.00	61011586	54110000930	COMP PLAN IMPL-PROF SVCS					
										CHECK	349442 TOTAL:	5,763.75		
349443	01/09/2019	PRTD	8375 MOORE IACOFANO GOLTS	228001	0056290	12/07/2018	21700052	01/06/19	2,665.75					
Invoice: 0056290						WYATT WAY WATER MAIN DSN								
						2,665.75	72413434	64110000708	WYATT-MAD TO LOVELL-WTR-ENG					
										CHECK	349443 TOTAL:	2,665.75		
349444	01/09/2019	PRTD	9105 JIM MOORE	228002	12/05/18	12/05/2018	01/06/19	48.94						
Invoice: 12/05/18						CS/TRAVEL REIMB								
						48.94	91011211	531100	GG-C/E-CIVIL SVC-OFC SUP					
										CHECK	349444 TOTAL:	48.94		
349445	01/09/2019	PRTD	2574 NATIONAL BARRICADE C	228003	279306	11/30/2018	01/06/19	1,420.27						
Invoice: 279306						PW/SIGNS								
						1,151.68	990	141100	MERCHANDISE					
						268.59	73111264	531100	O&M-STREET-TRAF CONTROL-SUPPLY					
										CHECK	349445 TOTAL:	1,420.27		
349446	01/09/2019	PRTD	7925 OMNIPARK, INC	228004	112223	12/17/2018	01/06/19	97.01						
Invoice: 112223						POL/THERMAL PAPER								
						97.01	51011217	531100	PD-C/E-PARKING ENF-SUPPLIES					
										CHECK	349446 TOTAL:	97.01		
349447	01/09/2019	PRTD	8286 SUPERINTENDENT OF P	227956	14695	12/18/2018	01/06/19	43.00						
Invoice: 14695						POL/FINGERPRINTING								
						43.00	65438	386110	AGENCY-FINGERPRINT REV TO SPI					
										CHECK	349447 TOTAL:	43.00		

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CASH ACCOUNT: 635	111100	CASH								
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
349448	01/09/2019	PRTD	6865 RYAN WALSH	227904	1820	11/16/2018	21800112	01/06/19	3,052.00	
Invoice: 1820				PW/1162 DONALD PL: TAKE DOWN AND						
				3,052.00	73425358	54810000354	WWTP TREE MAINT			
								CHECK	349448 TOTAL:	3,052.00
349449	01/09/2019	PRTD	9104 POSITIVE CONCEPTS /	228005	0207087-IN	12/11/2018		01/06/19	245.00	
Invoice: 0207087-IN				POL/PRINTER PAPER, THERMAL						
				245.00	51011191	531100	PD-C/E-PROP RM-SUPPLIES			
								CHECK	349449 TOTAL:	245.00
349450	01/09/2019	PRTD	394 RED'S ELECTRIC MOTOR	227919	35626	12/11/2018		01/06/19	2,027.94	
Invoice: 35626				PW/BALL BEARING, MECHANIC SEAL						
				2,027.94	73421355	531100	WIN COLL-SUPPLIES			
								CHECK	349450 TOTAL:	2,027.94
349451	01/09/2019	PRTD	6685 REGIONAL DISPOSAL CO	227920	0000154753	11/30/2018	21800022	01/06/19	2,949.88	
Invoice: 0000154753				PW/BIOSOLIDS DISPOSAL						
				2,949.88	73425358	54790100551	BIOSOLIDS WASTE DISPOSAL			
				227921	0000154626	11/15/2018	21800022	01/06/19	4,379.25	
Invoice: 0000154626				PW/BIOSOLIDS DISPOSAL						
				4,379.25	73425358	54790100551	BIOSOLIDS WASTE DISPOSAL			
								CHECK	349451 TOTAL:	7,329.13
349452	01/09/2019	PRTD	7240 SECLICKFIX	228024	2017-1925	11/30/2018		01/06/19	2,750.00	
Invoice: 2017-1925				IT/SECLICKFIX 1ST HALF 2019						
				2,750.00	81011881	548500	IT - C/E COMPUTER SUPPORT			
								CHECK	349452 TOTAL:	2,750.00
349453	01/09/2019	PRTD	2035 SIX ROBBLEES INC	227900	2-697399	11/19/2018		01/06/19	568.77	
Invoice: 2-697399				PW/2018-MED. DUTY ONCALL PICKUP						
				568.77	73638594	66400000905	2018-MED. DUTY ONCALL PICKUP			
								CHECK	349453 TOTAL:	568.77
349454	01/09/2019	PRTD	7770 SME SOLUTIONS, LLC	228006	265537	10/31/2018		01/06/19	786.06	
Invoice: 265537				PW/YARD REPAIRS						
				786.06	73011897	548100	O&M-C/E-PWYD FAC-REPAIRS			

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CASH ACCOUNT: 635			111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE					
INVOICE DTL DESC										

							CHECK	349454 TOTAL:	786.06	
349455	01/09/2019	PRTD	601 SOUND REPROGRAPHICS	227962	67530	12/14/2018	01/06/19			23.86
Invoice: 67530					PW/SIGNAGE - 8.5 x 11, LAMINATE 36"					
					23.86	73111264	531100	O&M-STREET-TRAF CONTROL-SUPPLY		
							CHECK	349455 TOTAL:	23.86	
349456	01/09/2019	PRTD	9065 SOUNDWEST ENGINEERIN	228010	05-01-01	12/15/2018	01/06/19			4,555.00
Invoice: 05-01-01					COUNTRY CLUB BULKHEAD & CULVER					
					4,555.00	72111425	54110000781	CO CLUB RD BULKHEAD R&M-PRO SV		
							CHECK	349456 TOTAL:	4,555.00	
349457	01/09/2019	PRTD	8132 SPECTRA LABORATORIES	228011	18-09495	12/14/2018	01/06/19			62.10
Invoice: 18-09495					PW/WINWTR FLOURIDE TESTING					
					62.10	73411345	54110000391	LAB SVCS-WATER		
					228012	18-09460	12/13/2018	01/06/19	42.32	
Invoice: 18-09460					PW/WINWTR ECOLI TESTING					
					42.32	73411345	54110000391	LAB SVCS-WATER		
					228013	18-09494	12/14/2018	01/06/19	63.02	
Invoice: 18-09494					PW/ROCKAWAY TESTING					
					63.02	73415345	54110000391	LAB SVCS-WATER ROCKAWAY		
							CHECK	349457 TOTAL:	167.44	
349458	01/09/2019	PRTD	5730 SUMMIT LAW GROUP	227901	99888	12/17/2018	01/06/19			793.00
Invoice: 99888					LEGAL/PROF SCVS NOV 18					
					335.50	32011152	54111000870	LGL-HR (NON-BARGAINING)		
					457.50	32011152	54111000274	LGL-LABOR NEGOTIATIONS		
					227902	99889	12/17/2018	01/06/19	3,061.50	
Invoice: 99889					LEGAL/PROF SCVS NOV 18					
					3,061.50	32011152	54111000274	LGL-LABOR NEGOTIATIONS		
							CHECK	349458 TOTAL:	3,854.50	
349459	01/09/2019	PRTD	7095 SUPERIOR SAW & SUPPL	227922	124098	12/04/2018	01/06/19			23.54
Invoice: 124098					PW/SHARPEN WEEDEATER BLADES					
					23.54	73111427	548100	O&M-ACCESS RDSIDE R&M		
							CHECK	349459 TOTAL:	23.54	

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CASH ACCOUNT: 635	111100	CASH								
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
349460	01/09/2019	PRTD	558 TOWN & COUNTRY MARKE	227923	12/11/18	12/11/2018		01/06/19	23.47	
Invoice: 12/11/18						PW/DISTILLED WATER				
				23.47	73425358 531100	O&M-WWTP-SUPPLIES				
				228014	12/20/18	12/20/2018		01/06/19	39.96	
Invoice: 12/20/18						PW/STORM SUPPLIES				
				39.96	73421252 53110000903	2018 STORM RESP-SWR-SUPPLY				
				228015	12/10/18	12/10/2018		01/06/19	75.92	
Invoice: 12/10/18						EX/DEC BIRTHDAY LUNCHESES				
				75.92	31011131 531100	EX-GF-SUPPLIES				
								CHECK	349460 TOTAL:	139.35
349461	01/09/2019	PRTD	8183 JOHN A. GREEN	227905	15346	11/09/2018		01/06/19	147.90	
Invoice: 15346						PW/2018-MED. DUTY ONCALL PICKUP				
				147.90	73638594 66400000905	2018-MED. DUTY ONCALL PICKUP				
								CHECK	349461 TOTAL:	147.90
349462	01/09/2019	PRTD	6088 ULINE SHIPPING SUPPL	227961	103952242	12/10/2018		01/06/19	93.12	
Invoice: 103952242						PW/COATED GLOVES (2 PK)				
				93.12	73637891 531100	OFFICE SUPPLIES				
								CHECK	349462 TOTAL:	93.12
349463	01/09/2019	PRTD	2190 UNITED PARCEL SERVIC	227966	000028Y3Y1508	12/15/2018		01/06/19	32.37	
Invoice: 000028Y3Y1508						POL/SHIPPING				
				32.37	91011215 542500	GG-C/E-PD-POSTAGE				
								CHECK	349463 TOTAL:	32.37
349464	01/09/2019	PRTD	2064 WEST SOUND WORKFORCE	228018	38081	12/17/2018		01/06/19	1,432.40	
Invoice: 38081						FIN/TEMP HIRE HRS: KW				
				1,432.40	41011141 515000	FIN - C/E ADMIN SALARY TEMP				
				228019	38167	12/24/2018		01/06/19	1,313.15	
Invoice: 38167						FIN/TEMP HIRE HRS: KW				
				1,313.15	41011141 515000	FIN - C/E ADMIN SALARY TEMP				
								CHECK	349464 TOTAL:	2,745.55
349465	01/09/2019	PRTD	499 WESTBAY AUTO PARTS I	227906	410383	11/20/2018		01/06/19	456.70	
Invoice: 410383						PW/NERF BAR				
				456.70	73638594 66400000905	2018-MED. DUTY ONCALL PICKUP				

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

INV DATE PO

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INVOICE DTL DESC

Invoice: 417020	228020	417020	12/19/2018	01/06/19	5.12	
			PW/TIRE VAL			
	5.12	73638935 531100	O&M-STD ALLOCATION-SUPPLIES			
Invoice: 415850	228021	415850	12/14/2018	01/06/19	12.72	
			PW/WIRE KIT			
	12.72	73638935 531100	O&M-STD ALLOCATION-SUPPLIES			
			CHECK	349465 TOTAL:	474.54	
349466 01/09/2019 PRD	9079	WESTERN INTERNATIONAL	227908	INVUS006607	11/19/2018 21800115 01/06/19	6,433.74
Invoice: INVUS006607					PW/FUEL TANK AND TRANSFER PUMP KI	
	6,433.74	73311448 66400000811	O&M FUEL SYS CAPACITY IMPR-EQ			
			CHECK	349466 TOTAL:		6,433.74
349467 01/09/2019 PRD	8759	WHISTLE WORKWEAR	227924	173934	12/17/2018 01/06/19	416.15
Invoice: 173934					PW/MUCK STEEL TOE SHOES X3	
	416.15	73637891 531100	OFFICE SUPPLIES			
			CHECK	349467 TOTAL:		416.15
349468 01/09/2019 PRD	6920	COMCAST	228026	JAN19	12/20/2018 01/06/19	11.36
Invoice: JAN19					POL/HD CONVERTER BOX	
	11.36	51011211 545000	PD-C/E-ADMIN RENTS/LEASE			
			CHECK	349468 TOTAL:		11.36
			NUMBER OF CHECKS	60	*** CASH ACCOUNT TOTAL ***	144,422.24
			COUNT		AMOUNT	
			TOTAL PRINTED CHECKS	60		144,422.24

*** GRAND TOTAL *** 144,422.24

- 380.00
- 1,823.09
NEW
check run
total.
\$142,218.55

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JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR	PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	LINE DESC				
2019 1 33										
APP 402-213000						ACCOUNTS PAYABLE			12,639.97	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100						CASH				144,422.24
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 001-213000						GENERAL - ACCOUNTS PAYABLE			93,104.47	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 401-213000						ACCOUNTS PAYABLE			5,704.33	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 403-213000						ACCOUNTS PAYABLE			35.73	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 631-213000						ACCOUNTS PAYABLE			15,119.68	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 101-213000						STREETS - ACCOUNTS PAYABLE			8,071.99	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 407-213000						ACCOUNTS PAYABLE			293.96	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 622-213000						ACCOUNTS PAYABLE			1,823.69	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 901-213000						ACCOUNTS PAYABLE			1,151.68	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 650-213000						ACCOUNTS PAYABLE			43.00	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
APP 301-213000						ACCOUNTS PAYABLE			6,433.74	
01/02/2019 01/06/19		010619				AP CASH DISBURSEMENTS JOURNAL				
GENERAL LEDGER TOTAL									144,422.24	144,422.24
APP 631-130000						DUE TO/FROM CLEARING			129,302.56	
01/02/2019 01/06/19		010619								
APP 402-130000						DUE TO/FROM CLEARING				12,639.97
01/02/2019 01/06/19		010619								
APP 001-130000						GENERAL - DUE TO/FROM CLEARING				93,104.47
01/02/2019 01/06/19		010619								
APP 401-130000						DUE TO/FROM CLEARING				5,704.33
01/02/2019 01/06/19		010619								
APP 403-130000						DUE TO/FROM CLEARING				35.73
01/02/2019 01/06/19		010619								
APP 101-130000						STREETS - DUE TO/FROM CLEARING				8,071.99
01/02/2019 01/06/19		010619								
APP 407-130000						DUE TO/FROM CLEARING				293.96
01/02/2019 01/06/19		010619								
APP 622-130000						DUE TO/FROM CLEARING				1,823.69
01/02/2019 01/06/19		010619								
APP 901-130000						DUE TO/FROM CLEARING				1,151.68
01/02/2019 01/06/19		010619								
APP 650-130000						DUE TO/FROM CLEARING				43.00

01/02/2019 13:22 |CITY OF BAINBRIDGE ISLAND
 cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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 |apcshdsb

JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	LINE DESC			
APP 301-130000	01/02/2019	01/06/19	010619			DUE TO/FROM CLEARING			6,433.74
	01/02/2019	01/06/19	010619						
SYSTEM GENERATED ENTRIES TOTAL								129,302.56	129,302.56
JOURNAL 2019/01/33 TOTAL								273,724.80	273,724.80

01/02/2019 13:22 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2019 1	33	01/02/2019		
001-130000			GENERAL - DUE TO/FROM CLEARING		93,104.47
001-213000			GENERAL - ACCOUNTS PAYABLE	93,104.47	
			FUND TOTAL	93,104.47	93,104.47
101 STREET FUND	2019 1	33	01/02/2019		
101-130000			STREETS - DUE TO/FROM CLEARING		8,071.99
101-213000			STREETS - ACCOUNTS PAYABLE	8,071.99	
			FUND TOTAL	8,071.99	8,071.99
301 CAPITAL CONSTRUCTION FUND	2019 1	33	01/02/2019		
301-130000			DUE TO/FROM CLEARING		6,433.74
301-213000			ACCOUNTS PAYABLE	6,433.74	
			FUND TOTAL	6,433.74	6,433.74
401 WATER OPERATING FUND	2019 1	33	01/02/2019		
401-130000			DUE TO/FROM CLEARING		5,704.33
401-213000			ACCOUNTS PAYABLE	5,704.33	
			FUND TOTAL	5,704.33	5,704.33
402 SEWER OPERATING FUND	2019 1	33	01/02/2019		
402-130000			DUE TO/FROM CLEARING		12,639.97
402-213000			ACCOUNTS PAYABLE	12,639.97	
			FUND TOTAL	12,639.97	12,639.97
403 STORM & SURFACE WATER FUND	2019 1	33	01/02/2019		
403-130000			DUE TO/FROM CLEARING		35.73
403-213000			ACCOUNTS PAYABLE	35.73	
			FUND TOTAL	35.73	35.73
407 BUILDING & DEVELOPMENT FUND	2019 1	33	01/02/2019		
407-130000			DUE TO/FROM CLEARING		293.96
407-213000			ACCOUNTS PAYABLE	293.96	
			FUND TOTAL	293.96	293.96
622 EXPENDABLE TRUST FUND	2019 1	33	01/02/2019		
622-130000			DUE TO/FROM CLEARING		1,823.69
622-213000			ACCOUNTS PAYABLE	1,823.69	
			FUND TOTAL	1,823.69	1,823.69
631 CLEARING FUND	2019 1	33	01/02/2019		

01/02/2019 13:22
cchristianson

|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
631-130000					DUE TO/FROM CLEARING	129,302.56	
631-213000					ACCOUNTS PAYABLE	15,119.68	
635-111100					CASH		144,422.24
					FUND TOTAL	144,422.24	144,422.24
650 AGENCY FUND	2019	1	33	01/02/2019			
650-130000					DUE TO/FROM CLEARING		43.00
650-213000					ACCOUNTS PAYABLE	43.00	
					FUND TOTAL	43.00	43.00
901 CITY-WIDE REPORTING FUND	2019	1	33	01/02/2019			
901-130000					DUE TO/FROM CLEARING		1,151.68
901-213000					ACCOUNTS PAYABLE	1,151.68	
					FUND TOTAL	1,151.68	1,151.68

01/02/2019 13:22 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	DUE TO	DUE FROM
001 GENERAL FUND		93,104.47
101 STREET FUND		8,071.99
301 CAPITAL CONSTRUCTION FUND		6,433.74
401 WATER OPERATING FUND		5,704.33
402 SEWER OPERATING FUND		12,639.97
403 STORM & SURFACE WATER FUND		35.73
407 BUILDING & DEVELOPMENT FUND		293.96
622 EXPENDABLE TRUST FUND		1,823.69
631 CLEARING FUND	129,302.56	
650 AGENCY FUND		43.00
901 CITY-WIDE REPORTING FUND		1,151.68
TOTAL	129,302.56	129,302.56

** END OF REPORT - Generated by Carrie L. Christianson **

Retainage release
cc 1/3/19

01/03/2019 09:43 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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|apcshdsb

CASH ACCOUNT: 628 111100 CASH-RETAINAGE

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

170	01/03/2019	PRTD	8498 LKP, INC.	228027	RETREL-721-18	12/31/2018		RT010319	1,823.66
Invoice: RETREL-721-18									
				1,823.66	41628860 586000				

RET REL-LOVELL SWR MAINT
RETAINAGE RELEASE

CHECK 170 TOTAL: 1,823.66

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 1,823.66

COUNT AMOUNT

TOTAL PRINTED CHECKS 1 1,823.66

*** GRAND TOTAL *** 1,823.66

JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2019 1	39								
APP 622-213000						ACCOUNTS PAYABLE		1,823.66	
01/03/2019	RT010319	RETREL				AP CASH DISBURSEMENTS JOURNAL			
APP 628-111100						CASH-RETAINAGE			1,823.66
01/03/2019	RT010319	RETREL				AP CASH DISBURSEMENTS JOURNAL			
JOURNAL 2019/01/39						TOTAL		1,823.66	1,823.66

FUND	YEAR PER	JNL	EFF DATE		DEBIT	CREDIT
ACCOUNT				ACCOUNT DESCRIPTION		
622 EXPENDABLE TRUST FUND	2019 1	39	01/03/2019			
622-213000				ACCOUNTS PAYABLE	1,823.66	
628-111100				CASH-RETAINAGE		1,823.66
				FUND TOTAL	1,823.66	1,823.66

** END OF REPORT - Generated by Carrie L. Christianson **

ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: December 10, 2018 - December 24, 2018
CITY COUNCIL: December 11, 2018 - December 25, 2018

Last check from previous run: 349294 dated 12/12/2018 issued to Comcast in the amount of \$11.36

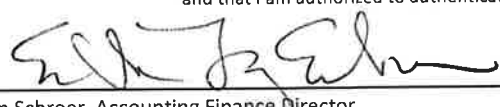
Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
ACH	N/A	N/A		N/A
ACH	N/A	N/A		N/A
EFT	N/A	N/A		N/A
VOID	11/30/18	349202	KC Sewer District 7/Participation fees	N/A
VOID	12/12/18	349272	UB/Gerald Simonsen/UB Refund - credit to be applied to tenant account	N/A
VOID	12/10/18	349298	POL/Reliable Storage/Check printed in error	N/A
Manual	12/6/18	349295	PW/Island Hands/City Hall janitorial services - November 2018	11,116.13
Manual	12/7/18	349296	US Bank/Credit card purchases - November 2018	26,731.09
Manual	12/7/18	349297	EX/Island Volunteer/Elder Day Services	6,375.00
Manual	12/10/18	349299	POL/Reliable Storage/Storage Unit J28	216.55
Manual	12/11/18	349300	PW/Karen Carnot/Rain Garden Training at O&M	99.35
Manual	12/13/18	349301	ENG/City of Bainbridge/Linear moorage system removal	1,437.75
Manual	12/13/18	349302	ENG/Northwest Marine/Linear moorage system removal	27,317.25
Manual	12/13/18	349303	CenturyLink/Citywide telemetry services	969.40
Manual	12/13/18	349304	Puget Sound Energy/City Hall - December 2018	4,787.20
Manual	12/13/18	349305	Verizon Wireless/Citywide cell phone services	5,653.50
Manual	12/14/18	349306	ENG/Titan Earthwork/Core 40 Miller - Fletcher Bay	578,700.90
Manual	12/14/18	349307	PW/Summit Towing/Towing to surplus	1,001.85
Manual	12/17/18	349308	PD/Kidder Mathews LLC/Court building	3,000.00
Manual	12/17/18	349309	ENG/Winslow Marine LLC/Olympic Drive reimb of attorney fees	750.00
Manual Checks and Electronic Disbursements				668,155.97

Regular Run	12/26/18	349310-349399	Regular Check Run	188,034.25
				856,190.22

Retainage Release	N/A	N/A		N/A
Travel Advance	N/A	N/A		N/A

Prepared and Reviewed by  Carrie Christianson, Senior Accounting Technician

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished,
the services rendered, or the labor performed as described herein and that the claim
is a just, due, and unpaid obligation against the City of Bainbridge Island,
and that I am authorized to authenticate and certify to said claim.


Ellen Schroer, Accounting Finance Director

12/19/2018
Date

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

VOID
(cc) 12/17/18

RL
12/18

|P 1
|apcshdsb

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349202 11/30/2018 VOID 1496 KITSAP COUNTY SEWER 227384 11/30/18 11/30/2018 -370,441.00
Invoice: 11/30/18 PARTICIPATION FEES
-370,441.00 62038 386002 PARTICIPATION-SEWER DIST. #7

CHECK 349202 TOTAL: -370,441.00

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** -370,441.00

	COUNT	AMOUNT
TOTAL VOIDED CHECKS	1	370,441.00

*** GRAND TOTAL *** -370,441.00

Check returned by vendor due to
disagreement re: balance owing.
Voided both check and invoice
in Munis.

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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|apcshdsb

JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	191								
APP 622-213000						ACCOUNTS PAYABLE			370,441.00
12/17/2018	349202	VOID				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH		370,441.00	
12/17/2018	349202	VOID				AP CASH DISBURSEMENTS JOURNAL			
						GENERAL LEDGER TOTAL		370,441.00	370,441.00
APP 631-130000						DUE TO/FROM CLEARING			370,441.00
12/17/2018	M113018	VOID							
APP 622-130000						DUE TO/FROM CLEARING		370,441.00	
12/17/2018	M113018	VOID							
						SYSTEM GENERATED ENTRIES TOTAL		370,441.00	370,441.00
						JOURNAL 2018/12/191	TOTAL	740,882.00	740,882.00

12/17/2018 13:32
cchristianson

|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

JOURNAL ENTRIES TO BE CREATED

|P 3
|apcshdsb

FUND	ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
622	EXPENDABLE TRUST FUND	2018 12	191	12/17/2018			
	622-130000				DUE TO/FROM CLEARING	370,441.00	
	622-213000				ACCOUNTS PAYABLE		370,441.00
					FUND TOTAL	370,441.00	370,441.00
631	CLEARING FUND	2018 12	191	12/17/2018			
	631-130000				DUE TO/FROM CLEARING		370,441.00
	635-111100				CASH	370,441.00	
					FUND TOTAL	370,441.00	370,441.00

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

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|apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
622 EXPENDABLE TRUST FUND			370,441.00
631 CLEARING FUND		370,441.00	
	TOTAL	370,441.00	370,441.00

** END OF REPORT - Generated by Carrie L. Christianson **

Kitsap County Sewer District #7
9705 NE Evergreen Avenue
Bainbridge Island, WA 98110
phone (206) 669-5723
www.kitsapsewer.org

COPY

December 14, 2018

Ellen Schroer, Deputy City Manager
City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, WA 98110-1812

Dear Ms. Schroer;

The Sewer District is returning the City's \$370,441 check it received last week that accompanied your letter to us dated November 29, 2018. With the information provided in the letter, the Sewer District cannot determine or "agree that the \$370,441 constitutes full payment of what is owed by the City to KCSD7".

At this time, the Sewer District would be able to credit the City approximately 35.86 prepaid ERU's (assuming these connections have not yet been made). Since the fee per connection became \$10,330 on January 1, 2018, the number of prepaid ERU's would be equal to the City's payment divided by the current connection fee in effect ($\$370,441 / \$10,330$). Also, to constitute full payment for the connection of the listed properties, the Sewer District would need to know how many ERU's for each property are being proposed.

The Sewer District realizes we are still disagreeing with the City over several points regarding payments under our 2007 interlocal agreement, whereby the Sewer District is delivering and offering additional wastewater treatment to several households and commercial enterprises outside of our district. We have instructed our counsel, John Milne of Inslee Best, to contact the city attorney to discuss what mediation or arbitration they can mutually recommend.

Regards,



Roan H. Blacker, Manager
Kitsap County Sewer District #7

cc: Barry Loveless, Public Works Director, City of Bainbridge Island
Sarah Lee, Commissioner, Kitsap County Sewer District #7
John Milne, Shareholder, Inslee Best



November 29, 2018

Roan Blacker, Manager
Kitsap County Sewer District 7
9705 NE Evergreen Avenue
Bainbridge Island, WA 98110

Dear Mr. Blacker;

On November 8, 2018, the City sent you a letter which responded to correspondence from you dated October 16, 2018. To date, the City hasn't received a response from Kitsap County Sewer District 7 (KCSD7). Our November 8 letter included the section cited below:

4. New connection fees. The City has offered to pay all new connection fees it has collected on behalf of KCSD7 for the KCSD7 customers. The amount the City is currently holding is \$370,441. A check for this amount will be prepared and sent to KCSD7 on or before December 1, 2018.

KCSD7 has offered to calculate an amount that is less than the current amount it charges for connection and more than the amount that the City has collected from the developers on behalf of KCSD7. The City agrees to pay KCSD7 the amount already collected in accordance with Public Works Administrative Procedure 2.14. The City does not agree to pay a greater amount. To pay a greater amount would require the City to pay the difference from other resources (such as fees paid by other sewer utility customers or general fund revenues).

Consistent with our previous statement and the City's good faith commitment to resolve this dispute and pay to KCSD7 what is reasonably owed by the City to KCSD7 under the Interlocal Agreement governing this matter, the City is sending KCSD7 a check for \$370,441. This check is the entire amount collected on behalf of KCSD7 and not yet remitted. Detail about the building permits for which the participation fees were collected is attached to the check.

The City is sending KCSD7 this check in full payment for the fees and understands that by accepting the check, you agree that the \$370,441 constitutes full payment of what is owed by the City to KCSD7.

Thank you,

A handwritten signature in black ink, appearing to read 'Ellen Schroer', is written over a horizontal line.

Ellen Schroer
Deputy City Manager

cc: Barry Loveless, Public Works Director

Participation fees collected for parcels within South Island Sewer service area
 Sent with check on November 30, 2018

PERMIT NUMBER IN SMARTGOV	AMOUNT	SITE ADDRESS OR PARCEL NUMBER
BLD20961/15-01145/PBPBS III L	59,311.00	7879 PITTS PATH LN NE
PW16 0006/16-00970/SETH COOL	5,991.00	4409 POINT WHITE DR NE
PW16 0008/16-00969/CHARLIE &	5,991.00	4533 POINT WHITE DR NE
PW16 0023/17-01250/PBPBS LLC	131,802.00	22 SFR NO SITE ADDRESS, PARCEL 04240211032006
PW18 0018/18-00310/ROOST LAND	41,836.50	4.05 ERU'S FLYING GOAT AVE NE; NO SITE ADDRESS AT THIS TIME
	<u>244,931.50</u>	
PW18 0021/18-00540/ROOST LAND	10,846.50	No site address, Flying Goat Ave NE
PW18 0021/18-00540/ROOST LAND	30,990.00	No site address, Flying Goat Ave NE
PW18 0020/18-00540/ROOST LAND	10,846.50	No site address, Flying Goat Ave NE
PW18 0020/18-00540/ROOST LAND	30,990.00	No site address, Flying Goat Ave NE
PW18 0019/18-00540/ROOST LAND	10,846.50	No site address, Flying Goat Ave NE
PW18 0019/18-00540/ROOST LAND	30,990.00	No site address, Flying Goat Ave NE
	<u>125,509.50</u>	
	370,441.00	

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |MODIFY INVOICES

|P 1
|apinvmnt

CLERK: cchristianson

INVOICE HEADER CHANGED

VENDOR DOCUMENT	CHECK RUNVOUCHER	DEPT	YR/PER	CASH ACCOUNT	TYPE	INV DATE	DISCOUNT AMOUNT	ERROR
					STAT	DUE DATE	INVOICE NET	
001496 73937		227384	FIN 2018 11 635	111100	INV	11/30/2018	.00	
KC SEWER DIST #7	RMT: 0	PARTICIPATION FEES				11/30/2018	370,441.00	
INVOICE: 11/30/18								
62038	386002	PART-SD #7		N 1			370,441.00	

** END OF REPORT - Generated by Carrie L. Christianson **

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |MODIFY INVOICES

|P 2
|apinvmnt

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	192								
APM 62038-386002						PARTICIPATION-SEWER DIST. #7			370,441.00
12/17/2018	VOID INV	001496		73937		PARTICIPATION FEES			
						1 GENERAL LEDGER TOTAL		.00	370,441.00
APM 622-213000						ACCOUNTS PAYABLE		370,441.00	
12/17/2018	VOID INV	001496							
						1 TOTAL		370,441.00	.00
						SYSTEM GENERATED ENTRIES TOTAL		370,441.00	.00
						JOURNAL 2018/12/192	TOTAL	370,441.00	370,441.00
2018 12	192								
APM 622-292100						REVENUE CONTROL			370,441.00
12/17/2018	VOID INV	001496							

12/17/2018 13:32 |CITY OF BAINBRIDGE ISLAND
cchristianson |MODIFY INVOICES

|P 3
|apinvmnt

FUND	YEAR	PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT				ACCOUNT DESCRIPTION		
622 EXPENDABLE TRUST FUND	2018	12	192	12/17/2018		
622-213000				ACCOUNTS PAYABLE	370,441.00	
622-292100				REVENUE CONTROL		370,441.00
				FUND TOTAL	370,441.00	370,441.00

** END OF REPORT - Generated by Carrie L. Christianson **

R
12/11/18

VOID
(CO) 12/11/18

12/11/2018 11:04 | CITY OF BAINBRIDGE ISLAND
cchristianson | A/P CASH DISBURSEMENTS JOURNAL

| P 1
| apcshdsb

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349272 12/12/2018 VOID 9093 SIMONSEN, GERALD 227329 73884 11/29/2018 -385.67
Invoice: 73884 UB 12959 685 WINTERSWEET LANE
-385.67 411 122100 WATER ACCOUNTS RECEIVABLE

CHECK 349272 TOTAL: -385.67

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** -385.67

	COUNT	AMOUNT
TOTAL VOIDED CHECKS	1	385.67

*** GRAND TOTAL *** -385.67

Customer requested UB credit be
applied to tenant account.
Voided check and invoice from A/P,
Christy to process request from
A/R side.

12/11/2018 11:04 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

|P 2
|apcshdsb

JOURNAL ENTRIES TO BE CREATED

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	100								
APP 401-213000						ACCOUNTS PAYABLE			385.67
12/12/2018	349272	VOID				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH		385.67	
12/12/2018	349272	VOID				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								385.67	385.67
APP 631-130000						DUE TO/FROM CLEARING			385.67
12/12/2018	12/09/18	VOID							
APP 401-130000						DUE TO/FROM CLEARING		385.67	
12/12/2018	12/09/18	VOID							
SYSTEM GENERATED ENTRIES TOTAL								385.67	385.67
JOURNAL 2018/12/100 TOTAL								771.34	771.34

12/11/2018 11:04 |CITY OF BAINBRIDGE ISLAND
cchristianson |A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdab

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
401 WATER OPERATING FUND	2018 12	100	12/12/2018			
401-130000				DUE TO/FROM CLEARING	385.67	
401-213000				ACCOUNTS PAYABLE		385.67
				FUND TOTAL	385.67	385.67
631 CLEARING FUND	2018 12	100	12/12/2018			
631-130000				DUE TO/FROM CLEARING		385.67
635-111100				CASH	385.67	
				FUND TOTAL	385.67	385.67

FUND		DUE TO	DUE FROM
401 WATER OPERATING FUND			385.67
631 CLEARING FUND		385.67	
	TOTAL	385.67	385.67

** END OF REPORT - Generated by Carrie L. Christianson **

12/11/2018 11:05 |CITY OF BAINBRIDGE ISLAND
cchristianson |MODIFY INVOICES

|P 1
|apinvmnt

CLERK: cchristianson

INVOICE HEADER CHANGED

VENDOR DOCUMENT	CHECK RUNVOUCHER	DEPT	YR/PER	CASH ACCOUNT	TYPE	INV DATE	DISCOUNT AMOUNT	
					STAT	DUE DATE	INVOICE NET	ERROR
009093 73884		227329	FIN 2018 11 635	111100	INV	11/29/2018	.00	
SIMONSEN, GERALD	RMT: 0 UB 12959 685	WINTERSWEET LANE				11/29/2018	385.67	
INVOICE: 73884								
411	122100	ACCT REC		N 1		385.67		

** END OF REPORT - Generated by Carrie L. Christianson **

VOIDED invoice in A/P.
Christy will process back
into UB.

12/11/2018 11:05 |CITY OF BAINBRIDGE ISLAND

cchristianson |MODIFY INVOICES

P2

apinvmnt

CLERK: cchristianson

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	101								
APM 411-122100						WATER ACCOUNTS RECEIVABLE			385.67
12/12/2018	VOID INV	009093		73884		UB 12959 685 WINTERSWEET L			
						1 GENERAL LEDGER TOTAL		.00	385.67
APM 401-213000						ACCOUNTS PAYABLE		385.67	
12/12/2018	VOID INV	009093							
						SYSTEM GENERATED ENTRIES TOTAL		385.67	.00
						1 JOURNAL 2018/12/101	TOTAL	385.67	385.67

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
401 WATER OPERATING FUND	2018 12	101	12/12/2018			
401-213000				ACCOUNTS PAYABLE	385.67	
411-122100				WATER ACCOUNTS RECEIVABLE		385.67
				FUND TOTAL	385.67	385.67

** END OF REPORT - Generated by Carrie L. Christianson **

VOID

Account History Summary

My File Edit Tools Help

Account AR category 60 - Services - General

Account 12959 Customer 12851

Parcel 55980000060001 Name SIMONSEN, GERALD

Location # 685 Suff Str WINTERSWEET LANE Apt

City BISL State WA Zip 98110 Balance -385.67

History summary

Date	Bill#	Type	Check#	Amount	Interest	Balance
11/29/2018		Payment	NO REF	-385.67	.00	-385.67
11/14/2017		Payment	1063	-10.19	.00	.00
09/21/2017		Payment	1019	-111.89	.00	10.19
09/12/2017		Penlty		10.19		122.08
08/02/2017	336506	Charge		111.89	.00	111.89

2 of 4

OVR

Christy Shipman

From: Christy Shipman
Sent: Tuesday, November 27, 2018 9:39 AM
To: 'Laura Blair-Gano'
Subject: RE: shut off notice

Yes Laura,

It looks like you both paid. Should I try to force a refund to your landlord?

Account	12959	Customer	13448
Parcel	5598000060001	Name	BLAIR-GANO, LAURA
Location #	685	Suff	
		Str	WINTERSWEET LANE
		Apt	
City	BISL	State	WA
		Zip	98110
		Balance	-385.67

History summary						
Date	Bill#	Type	Check#	Amount	Interest	Balance
11/26/2018		Payment		-385.67	.00	-385.67
11/22/2018		Payment		-385.67	.00	.00
11/06/2018		Penlty		20.87		385.67
10/01/2018	357816	Charge		208.70	.00	364.80
09/07/2018		Penlty		11.92		156.10
08/01/2018	354939	Charge		144.18	.00	144.18



Christy Shipman

Senior Accounting Technician

Utility Billing and Accounts Receivable

www.bainbridgewa.gov

facebook.com/citybainbridgeisland/

206.780.8603 (office)

From: Laura Blair-Gano <lbgano@gmail.com>
Sent: Monday, November 26, 2018 1:23 PM
To: Christy Shipman <cshipman@bainbridgewa.gov>
Subject: RE: shut off notice

I paid online over the weekend. Did it get double paid?

Sent from Mail for Windows 10

From: Christy Shipman <cshipman@bainbridgewa.gov>
Sent: Monday, November 26, 2018 9:02:54 AM
To: Laura Blair-Gano
Subject: FW: shut off notice

Laura,
Your landlord may have paid for you.

Thanks,
Christy

12/10/2018 14:57 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

VOID

RL
12/10/18 |P 1
apcsbdb

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

KW
12/10/18

349298 12/10/2018 VOID 8745 RELIABLE STORAGE BAI
Invoice:

CHECK 349298 TOTAL: .00

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** .00

COUNT AMOUNT

TOTAL VOIDED CHECKS 1 .00

*** GRAND TOTAL *** .00

Check printer error

Manual

KW
12/6/18
P 1
apcshdsb

12/06/2018 13:24 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349295	12/06/2018	PRTD	8646 ISLAND HANDS	227464	17443 - 17444	12/06/2018	21800026	M120618	11,116.13
Invoice: 17443 - 17444									
2018 JANITORIAL SERVICE									
10,771.53	73011183	54110000269	JANITORIAL CONTRACT-PRO SVCS						
344.60	73425358	54110000269	JANITORIAL CONTRACT-PRO SVCS						
CHECK 349295 TOTAL:								11,116.13	
NUMBER OF CHECKS 1						*** CASH ACCOUNT TOTAL ***			11,116.13
						COUNT	AMOUNT		
TOTAL PRINTED CHECKS						1	11,116.13		
*** GRAND TOTAL ***								11,116.13	

JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT									
EFF DATE	JNL DESC	REF 1	REF 2	REF 3	LINE DESC				
2018 12	62								
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			10,771.53	
12/06/2018	M120618	120618			AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100					CASH				11,116.13
12/06/2018	M120618	120618			AP CASH DISBURSEMENTS JOURNAL				
APP 402-213000					ACCOUNTS PAYABLE			344.60	
12/06/2018	M120618	120618			AP CASH DISBURSEMENTS JOURNAL				
GENERAL LEDGER TOTAL								11,116.13	11,116.13
APP 631-130000					DUE TO/FROM CLEARING			11,116.13	
12/06/2018	M120618	120618							
APP 001-130000					GENERAL - DUE TO/FROM CLEARING				10,771.53
12/06/2018	M120618	120618							
APP 402-130000					DUE TO/FROM CLEARING				344.60
12/06/2018	M120618	120618							
SYSTEM GENERATED ENTRIES TOTAL								11,116.13	11,116.13
JOURNAL 2018/12/62 TOTAL								22,232.26	22,232.26

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2018 12	62	12/06/2018		
001-130000			GENERAL - DUE TO/FROM CLEARING		10,771.53
001-213000			GENERAL - ACCOUNTS PAYABLE	10,771.53	
			FUND TOTAL	10,771.53	10,771.53
402 SEWER OPERATING FUND	2018 12	62	12/06/2018		
402-130000			DUE TO/FROM CLEARING		344.60
402-213000			ACCOUNTS PAYABLE	344.60	
			FUND TOTAL	344.60	344.60
631 CLEARING FUND	2018 12	62	12/06/2018		
631-130000			DUE TO/FROM CLEARING	11,116.13	
635-111100			CASH		11,116.13
			FUND TOTAL	11,116.13	11,116.13

FUND		DUE TO	DUE FROM
001	GENERAL FUND		10,771.53
402	SEWER OPERATING FUND		344.60
631	CLEARING FUND	11,116.13	
TOTAL		11,116.13	11,116.13

** END OF REPORT - Generated by Khammy Wahaus **

Manual

kw
12/17/18

12/07/2018 11:17 | CITY OF BAINBRIDGE ISLAND
fintemp | A/P CASH DISBURSEMENTS JOURNAL

| P 1
| apcshdsb

CASH ACCOUNT: 635			111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE					
INVOICE DTL DESC										
349296	12/07/2018	PRTD	7314 US BANK	227465	10/31/18-JB	11/26/2018	USBNOV18			45.00
Invoice: 10/31/18-JB				45.00	53011212 549100	POL/ILEETA/MEMBERSHIP RENEWAL				
						PD-C/E-PATROL-DUES/SUBCR/MEMBR				
				227467	12/15/18-CB	11/26/2018	USBNOV18			30.66
Invoice: 12/15/18-CB				30.66	36011143 443410	EXCC/CHEVRON/FUEL				
						CLERK-C/E-TRAINING				
				227468	10/25/18-CB-A	11/26/2018	USBNOV18			9.10
Invoice: 10/25/18-CB-A				9.10	36011143 443410	EXCC/DIAMOND PARKING/PARKING				
						CLERK-C/E-TRAINING				
				227469	10/25/18-CB-B	11/26/2018	USBNOV18			6.00
Invoice: 10/25/18-CB-B				6.00	36011143 443410	EXCC/GOOD TO GO/TOLLS				
						CLERK-C/E-TRAINING				
				227470	11/16/18-CB	11/26/2018	USBNOV18			54.75
Invoice: 11/16/18-CB				54.75	11011116 539100	CC/SAFEWAY/MEALS - CITY COUNCIL RETREAT				
						COUNCIL-C/E-WORKED MEALS				
				227471	10/25/18-BB	11/26/2018	USBNOV18			-212.50
Invoice: 10/25/18-BB				-212.50	51011214 443410	POL/IACP/REFUND OF DC HORN'S FL CONF REGISTRATION				
						PD-C/E-ADMIN-TRAINING				
				227472	10/31/18-BB	11/26/2018	USBNOV18			449.50
Invoice: 10/31/18-BB				449.50	53011212 531100	POL/POCKET PRESS/CRIMINAL & TRAFFIC LAW BOOKS				
						PD-C/E-PATROL SUPPLIES				
				227473	11/01/18-BB	11/26/2018	USBNOV18			59.00
Invoice: 11/01/18-BB				59.00	53011212 443410	POL/VRBO/FASTAIA'S LODGING WEEK 1				
						POLICE - C/E PATROL TRAINING				
				227474	11/01/18-BB-A	11/26/2018	USBNOV18			368.44
Invoice: 11/01/18-BB-A				368.44	53011212 443410	POL/VRBO/FASTAIA LODGING DEPOSIT WEEK 1				
						POLICE - C/E PATROL TRAINING				
				227475	11/01/18-BB-B	11/26/2018	USBNOV18			303.32
Invoice: 11/01/18-BB-B				303.32	53011212 443410	POL/VRBO/FASTAIA LODGING DEPOSIT WEEK 2				
						POLICE - C/E PATROL TRAINING				
				227476	11/01/18-BB-C	11/26/2018	USBNOV18			59.00
Invoice: 11/01/18-BB-C				59.00	53011212 443410	POL/VRBO/FASTAIA'S LODGING WEEK 2				
						POLICE - C/E PATROL TRAINING				
				227477	11/05/18-BB	11/26/2018	USBNOV18			-59.00
Invoice: 11/05/18-BB				-59.00	53011212 443410	POL/VRBO/REFUND FASTAIA'S LODGING WEEK 1				
						POLICE - C/E PATROL TRAINING				
				227478	11/05/18-BB-A	11/26/2018	USBNOV18			-59.00
Invoice: 11/05/18-BB-A				-59.00	53011212 443410	POL/VRBO/REFUND FASTAIA'S LODGING WEEK 2				
						POLICE - C/E PATROL TRAINING				

12/07/2018 11:17 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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|apcshdsb

CASH ACCOUNT: 635			111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
Invoice: 11/05/18-BB-B				227479	11/05/18-BB-B	11/26/2018	USBNOV18		-303.32	
				-303.32	53011212 443410	POL/VRBO/REFUND LODGING WEEK 2				
						POLICE - C/E PATROL TRAINING				
Invoice: 11/05/18-BB-C				227480	11/05/18-BB-C	11/26/2018	USBNOV18		-368.44	
				-368.44	53011212 443410	POL/VRBO/REFUND LODGING WEEK 1				
						POLICE - C/E PATROL TRAINING				
Invoice: 11/07/18-BB				227481	11/07/18-BB	11/26/2018	USBNOV18		196.48	
				196.48	53011212 443410	POL/THAT'S A SOME PIZZA/MEALS FOR ALL-HANDS				
						POLICE - C/E PATROL TRAINING				
Invoice: 11/07/18-BB-A				227482	11/07/18-BB-A	11/26/2018	USBNOV18		39.81	
				39.81	53011212 443410	POL/SAFEBAY/BEVERAGES FOR ALL-HANDS				
						POLICE - C/E PATROL TRAINING				
Invoice: 11/08/18-BB				227483	11/08/18-BB	11/26/2018	USBNOV18		104.53	
				104.53	51011214 443410	POL/CAMPBELL'S RESORT/LODGING FOR HAMNER				
						PD-C/E-ADMIN-TRAINING				
Invoice: 11/11/18-BB				227484	11/11/18-BB	11/26/2018	USBNOV18		53.39	
				53.39	53011212 531100	POL/AMAZON/MINI GPS ANTI-THEFT TRACKER				
						PD-C/E-PATROL SUPPLIES				
Invoice: 11/15/18-BB				227485	11/15/18-BB	11/26/2018	USBNOV18		97.50	
				97.50	51011191 531100	POL/TRI-TECH NAT'L LAW/EVIDENCE BAGS				
						PD-C/E-PROP RM-SUPPLIES				
Invoice: 11/15/18-BB-A				227486	11/15/18-BB-A	11/26/2018	USBNOV18		136.24	
				136.24	51011217 520000	POL/QUARTERMASTER/BOOTS FOR PEO				
						PD-C/E-PARKING ENF-BEN				
Invoice: 11/14/18-KC				227487	11/14/18-KC	11/26/2018	USBNOV18		1.00	
				1.00	31011572 549900	EX/CANVA/GRAPHIC PURCHASE				
						EX-GF-OUTREACH-MISC				
Invoice: 11/21/18-KC				227488	11/21/18-KC	11/26/2018	USBNOV18		5.36	
				5.36	31011572 539100	EX/CUPS EXPRESSO/TEA DURING POST-LEVY MEETING				
						EX-GF-OUTREACH-MEALS/EVENTS				
Invoice: 11/09/18-KD				227489	11/09/18-KD	11/26/2018	USBNOV18		705.00	
				705.00	41011144 443410	FIN/APA/WEBINAR: YEAR-END PAYROLL				
						FIN - C/E TRAINING				
Invoice: 11/20/18-KD				227490	11/20/18-KD	11/26/2018	USBNOV18		633.15	
				633.15	91029179 531100	BI BBQ/WELLNESS CITY SWAP MEALS				
						GG-SELF INS-WELLNESS-SUPPLIES				
Invoice: 11/03/18-KE				227491	11/03/18-KE	11/26/2018	USBNOV18		41.25	
				41.25	53011212 532000	POL/PORT ORCHARD CHEVRON/FUEL				
						PD-C/E-PATROL-FUEL				

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fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635			111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		VOUCHER	INVOICE	INVOICE DTL DESC			
					227492	10/31/18-MH	11/26/2018	USBNOV18		98.38
Invoice:	10/31/18-MH									
					98.38	51011211 539100				
							POL/PLATE & PINT/MEALS W/WA ST PATROL			
							PD-C/E-ADM-WORKED MEALS			
					227493	11/15/18-JH	11/26/2018	USBNOV18		25.20
Invoice:	11/15/18-JH									
					25.20	51011211 531100				
							POL/SLUY'S BAKERY/MEALS FOR VOL PANELIST 11/15/18			
							PD-C/E-ADM-SUPPLIES			
					227494	11/06/18-DJ	11/26/2018	USBNOV18		596.77
Invoice:	11/06/18-DJ									
					596.77	53011212 548100				
							POL/BROTHERS POWERSPORTS/MOTOCYCLE REPAIR SVC			
							POLICE - C/E PATROL MAINTENANC			
					227495	11/25/18-GK	11/26/2018	USBNOV18		8.20
Invoice:	11/25/18-GK									
					8.20	53011212 532000				
							POL/UNITED PACIFIC/FUEL			
							PD-C/E-PATROL-FUEL			
					227496	10/28/18-RL	11/26/2018	USBNOV18		167.23
Invoice:	10/28/18-RL									
					167.23	31011131 531100				
							EX/PITNEY BOWES/POSTAGE INK			
							EX-GF-SUPPLIES			
					227497	11/09/18-RL	11/26/2018	USBNOV18		26.95
Invoice:	11/09/18-RL									
					26.95	11011116 543100				
							CC/KRCC/TRAVEL - PELTIER			
							COUNCIL-TRAVEL/MEALS/LODGING			
					227498	11/09/18-RL-A	11/26/2018	USBNOV18		26.95
Invoice:	11/09/18-RL-A									
					26.95	11011116 543100				
							CC/KRCC/TRAVEL - NASSAR			
							COUNCIL-TRAVEL/MEALS/LODGING			
					227499	10/26/18-CL	11/26/2018	USBNOV18		879.68
Invoice:	10/26/18-CL									
					879.68	61011584 443410				
							PCD/RIVERHOUSE/LODGING - CC			
							PCD - C/E ADM TRAINING			
					227500	10/26/18-CL-A	11/26/2018	USBNOV18		40.00
Invoice:	10/26/18-CL-A									
					40.00	63470588 549100				
							PCD/ANS/NOTARY LIC - CL			
							CUR-DEV PLAN-DUES/SUBSCR			
					227501	10/31/18-CL	11/26/2018	USBNOV18		17.82
Invoice:	10/31/18-CL									
					17.82	61011581 531100				
							PCD/WALMART/HALLOWEEN SUPPLIES - COUNTER			
							PCD - C/E ADMIN SUPPLIES			
					227502	11/02/18-CL	11/26/2018	USBNOV18		73.02
Invoice:	11/02/18-CL									
					73.02	62471591 531100				
							PCD/AMAZON/OFFICE SUPPLIES			
							BLDG - BLDG OFFICE SUPPLIES			
					227503	11/12/18-CL	11/26/2018	USBNOV18		51.05
Invoice:	11/12/18-CL									
					51.05	62471591 531100				
							PCD/AMAZON/OFFICE SUPPLIES			
							BLDG - BLDG OFFICE SUPPLIES			
					227504	11/19/18-CL	11/26/2018	USBNOV18		24.00
Invoice:	11/19/18-CL									
					24.00	61011581 531100				
							PCD/AMAZON/OFFICE SUPPLIES			
							PCD - C/E ADMIN SUPPLIES			

12/07/2018 11:17 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

|P 4
|apcshdsb

CASH ACCOUNT: 635			111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME		VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC										
Invoice: 11/23/18-CL					227505	11/23/18-CL	11/26/2018		USBNOV18	100.26
							PCD/AMAZON/OFFICE SUPPLIES			
					100.26	61011581 531100	PCD - C/E ADMIN SUPPLIES			
Invoice: 11/23/18-CL-A					227506	11/23/18-CL-A	11/26/2018		USBNOV18	118.16
							PCD/AMAZON/OFFICE SUPPLIES			
					118.16	61011581 531100	PCD - C/E ADMIN SUPPLIES			
Invoice: 11/26/18-CL					227507	11/26/18-CL	11/26/2018		USBNOV18	56.06
							PCD/AMAZON/OFFICE SUPPLIES			
					56.06	61011581 531100	PCD - C/E ADMIN SUPPLIES			
Invoice: 10/29/18-EP					227509	10/29/18-EP	11/26/2018		USBNOV18	-61.66
							POL/HOTEL MURANO/REFUND PERSONAL REVERSAL			
					-61.66	52011212 531100	POLICE - C/E INVEST SUPPLIES			
Invoice: 11/09/18-EP					227510	11/09/18-EP	11/26/2018		USBNOV18	-26.15
							POL/AMAZON/REFUND PERSONAL REVERSAL			
					-26.15	52011212 531100	POLICE - C/E INVEST SUPPLIES			
Invoice: 11/08/18-EP					227511	11/08/18-EP	11/26/2018		USBNOV18	16.34
							POL/WALGREENS/USB CABLE			
					16.34	52011212 531100	POLICE - C/E INVEST SUPPLIES			
Invoice: 10/25/18-JR					227512	10/25/18-JR	11/26/2018		USBNOV18	51.40
							PCD/CUSTOM INK/RETIREMENT -GV			
					51.40	61011581 531100	PCD - C/E ADMIN SUPPLIES			
Invoice: 10/29/18-JR					227513	10/29/18-JR	11/26/2018		USBNOV18	806.40
							PCD/PLANETIZEN/TRANING RESOURCE PLANNING			
					806.40	63011586 443410	CUR - C/E TRAINING TRAVEL			
Invoice: 10/29/18-JR-A					227514	10/29/18-JR-A	11/26/2018		USBNOV18	345.60
							PCD/PLANETIZEN/TRANING RESOURCES LONG RANGE/DIR			
					345.60	61011584 443410	PCD - C/E ADM TRAINING			
Invoice: 10/29/18-JR-B					227515	10/29/18-JR-B	11/26/2018		USBNOV18	691.20
							PCD/PLANETIZEN/TRAINING RESOURCE BLDG			
					691.20	62471594 443410	BLDG - BLDG TRAINING TRAVEL			
Invoice: 10/29/18-JR-C					227516	10/29/18-JR-C	11/26/2018		USBNOV18	33.80
							PCD/COSTCO/APA CELEBRATION - CAKE & PLATES			
					33.80	63470588 531100	CUR - DEV DEV PLAN OFC SUPPLY			
Invoice: 11/07/18-JR					227517	11/07/18-JR	11/26/2018		USBNOV18	159.23
							PCD/AMAZON/CHAIR FOR JS			
					159.23	61011581 531100	PCD - C/E ADMIN SUPPLIES			
Invoice: 11/07/18-JR-A					227518	11/07/18-JR-A	11/26/2018		USBNOV18	159.23
							PCD/AMAZON/CHAIR FOR GH			
					159.23	62471591 531100	BLDG - BLDG OFFICE SUPPLIES			

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

Invoice: 11/14/18-JR	227519	11/14/18-JR	11/26/2018	USBNOV18	35.00
			PCD/MRSC/CUSTOMERSERVICE@PERMIT COUNTER WEBINAR		
	35.00	61011584 443410	PCD - C/E ADM TRAINING		
Invoice: 11/05/18-JR	227520	11/05/18-JR	11/26/2018	USBNOV18	900.00
			PCD/STORAGE98110/PERMIT FILES ARCHIVE		
	900.00	61470581 545000	PCD - DEV ADMIN RENTS & LEASES		
Invoice: 11/18/18-BS	227521	11/18/18-BS	11/26/2018	USBNOV18	438.73
			POL/KITSAP TOWING/IMPOUND I18-001524		
	438.73	53011212 549900	PD-C/E-PATROL-MISC		
Invoice: 11/09/18-CS	227522	11/09/18-CS	11/26/2018	USBNOV18	319.90
			POL/ANYPROMO/SQUEEZABLE POLICE CAR KEY CHAINS		
	319.90	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 11/12/18-CS	227523	11/12/18-CS	11/26/2018	USBNOV18	178.66
			POL/AMAZON/MICROPHONE, COMPACT PORTABLE HD		
	178.66	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 11/14/18-CS	227524	11/14/18-CS	11/26/2018	USBNOV18	198.88
			POL/ANYPROMO/COLORING BOOKS X300		
	198.88	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 11/14/18-CS-A	227525	11/14/18-CS-A	11/26/2018	USBNOV18	372.74
			POL/ANYPROMO/NITE GLOW BRACELETS X 500		
	372.74	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 11/22/18-CS	227526	11/22/18-CS	11/26/2018	USBNOV18	289.19
			POL/ANYPROMO/PAPER POLICE HAT X 500		
	289.19	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 11/24/18-CS	227527	11/24/18-CS	11/26/2018	USBNOV18	88.83
			POL/ANYPROMO/3-SIDED TABLE COVER		
	88.83	51011211 53110000589	PD-COMM OUTREACH-SUPPLIES		
Invoice: 10/25/18-TD	227528	10/25/18-TD	11/26/2018	USBNOV18	105.42
			CRT/LEDGESTON HOTEL/LODGING - 60TH JUDICIAL CONF		
	105.42	21011125 443410	COURT - TRAINING		
Invoice: 11/05/18-TD	227529	11/05/18-TD	11/26/2018	USBNOV18	27.30
			CRT/AMAZON/LIFT OFF TAPE		
	27.30	21011125 531100	COURT - SUPPLIES		
Invoice: 11/14/18-TD	227530	11/14/18-TD	11/26/2018	USBNOV18	7.90
			CRT/USPS/POSTAGE - RECORDS REQ-HUNT		
	7.90	21011125 542500	COURT-POSTAGE/SHIPPING		
Invoice: 11/14/18-TD-A	227531	11/14/18-TD-A	11/26/2018	USBNOV18	801.90
			CRT/OAK HALL INDUSTRIES/JUDGE ROBES X2		
	801.90	21011125 531100	COURT - SUPPLIES		

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CASH ACCOUNT: 635			111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME		VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC										
Invoice: 11/14/18-TD-B					227532	11/14/18-TD-B	11/26/2018	USBNOV18		566.78
							CRT/AMAZON/STAND UP DESK FRAMES X2			
					566.78	21011125 531100	COURT - SUPPLIES			
Invoice: 11/14/18-TD-C					227533	11/14/18-TD-C	11/26/2018	USBNOV18		18.94
							CRT/RED ROBIN/MEALS - KITSAP MUNI CRT ADMIN MTG			
					18.94	21011125 443410	COURT - TRAINING			
Invoice: 11/20/18-TD					227534	11/20/18-TD	11/26/2018	USBNOV18		495.08
							CRT/WSBA/WA ST BAR ASSOC DUES - SM 2019			
					495.08	21011125 549100	COURT-DUES/SUBSCR/MEMBERSHIPS			
Invoice: 11/01/18-TD					227535	11/01/18-TD	11/26/2018	USBNOV18		53.98
							CRT/ISSAQUAH CAFE/MEALS PASSPORT TRAINING - JS, GR			
					53.98	21011125 443410	COURT - TRAINING			
Invoice: 11/02/18-TD					227536	11/02/18-TD	11/26/2018	USBNOV18		2.41
							CRT/USPS/POSTAGE - RECORDS REQ F/ND HUNT			
					2.41	21011125 542500	COURT-POSTAGE/SHIPPING			
Invoice: 10/29/18-KB					227537	10/29/18-KB	11/26/2018	USBNOV18		99.00
							HR/NPERLA/WEBINAR			
					99.00	33011164 443410	HR-C/E-TRAINING EXP			
Invoice: 11/09/18-KB					227538	11/09/18-KB	11/26/2018	USBNOV18		23.39
							T&C MARKET/SNACKS - CORPORAL ASSESSMENT PROCESS			
					23.39	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
Invoice: 11/09/18-KB-A					227539	11/09/18-KB-A	11/26/2018	USBNOV18		74.08
							T&C MARKET/COFFEE - CORPORAL ASSESSMENT			
					74.08	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
Invoice: 11/11/18-KB					227540	11/11/18-KB	11/26/2018	USBNOV18		6.09
							COSTCO/WATER - CORPORAL ASSESSMENT			
					6.09	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
Invoice: 11/12/18-KB					227541	11/12/18-KB	11/26/2018	USBNOV18		13.07
							HR/ACE/TURN TABLE - SKYPE INTERVIEWS			
					13.07	33011161 531100	HR-C/E-SUPPLIES			
Invoice: 11/13/18-KB					227542	11/13/18-KB	11/26/2018	USBNOV18		34.84
							T&C MARKET/SNACKS - CORPORAL ASSESSMENT PROCESS			
					34.84	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
Invoice: 11/13/18-KB-A					227543	11/13/18-KB-A	11/26/2018	USBNOV18		18.52
							T&C MARKET/COFFEE - CORPORAL ASSESSMENT			
					18.52	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
Invoice: 11/14/18-KB					227544	11/14/18-KB	11/26/2018	USBNOV18		6.11
							T&C MARKET/COFFEE - CORPORAL ASSESSMENT			
					6.11	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			

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CASH ACCOUNT: 635			111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
Invoice: 11/14/18-KB-A				227545	11/14/18-KB-A	11/26/2018		USBNOV18	140.99	
				140.99	91011211 531100	T&C MARKET/MEALS - CORPORAL ASSESSMENT				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/14/18-KB-B				227546	11/14/18-KB-B	11/26/2018		USBNOV18	10.19	
				10.19	91011211 531100	T&C MARKET/SNACKS - CORPORAL ASSESSMENT PROCESS				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/15/18-KB				227547	11/15/18-KB	11/26/2018		USBNOV18	140.99	
				140.99	91011211 531100	T&C MARKET/MEALS - CORPORATE ASSESSMENT				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/14/18-KB-C				227548	11/14/18-KB-C	11/26/2018		USBNOV18	7.99	
				7.99	91011211 531100	T&C MARKET/SNACKS - CORPORAL ASSESSMENT PROCESS				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/15/18-KB-B				227550	11/15/18-KB-B	11/26/2018		USBNOV18	318.72	
				318.72	91011211 531100	MARSHALL SUITES/LODGING - ASSESSOR				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/15/18-KB-C				227551	11/15/18-KB-C	11/26/2018		USBNOV18	318.72	
				318.72	91011211 531100	MARSHALL SUITES/LODGING - ASSESSOR				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/15/18-KB-D				227552	11/15/18-KB-D	11/26/2018		USBNOV18	318.72	
				318.72	91011211 531100	MARSHALL SUITES/LODGING - ASSESSOR				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 11/15/18-KB-E				227553	11/15/18-KB-E	11/26/2018		USBNOV18	318.72	
				318.72	91011211 531100	MARSHALL SUITES/LODGING - ASSESSOR				
						GG-C/E-CIVIL SVC-OFC SUP				
Invoice: 10/29/18-SM				227554	10/29/18-SM	11/26/2018		USBNOV18	708.45	
				708.45	81011881 535500	IT/AMAZON/FLAT PANEL MONITORS X5				
						IT - C/E COMPUTER PARTS & EQ				
Invoice: 10/29/18-SM-A				227555	10/29/18-SM-A	11/26/2018		USBNOV18	708.45	
				708.45	81011881 535500	IT/AMAZON/FLAT PANEL MONITORS X5				
						IT - C/E COMPUTER PARTS & EQ				
Invoice: 11/01/18-SM				227556	11/01/18-SM	11/26/2018		USBNOV18	871.99	
				871.99	81011881 535500	IT/RAKUTEN/DESKTOP COMPUTER				
						IT - C/E COMPUTER PARTS & EQ				
Invoice: 11/01/18-SM-A				227557	11/01/18-SM-A	11/26/2018		USBNOV18	108.99	
				108.99	81011881 535500	IT/RAKUTEN/SSD HARD DRIVE				
						IT - C/E COMPUTER PARTS & EQ				
Invoice: 11/01/18-SM-B				227558	11/01/18-SM-B	11/26/2018		USBNOV18	1,021.42	
				1,021.42	81011881 535500	IT/AMAZON/FLAT PANEL MON X 6, CABLES, ADAPTERS				
						IT - C/E COMPUTER PARTS & EQ				

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CASH ACCOUNT: 635			111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INVOICE DTL DESC				
Invoice: 11/16/18						227559	11/16/18	11/26/2018	USBNOV18	148.23
								IT/AMAZON/RAM UPGRADE KIT - 16GB		
						148.23	81011881 535500	IT - C/E COMPUTER PARTS & EQ		
Invoice: 11/18/18-SM						227560	11/18/18-SM	11/26/2018	USBNOV18	19.00
								IT/ACUITY/CALENDAR SCHEDULING		
						19.00	81011881 548500	IT - C/E COMPUTER SUPPORT		
Invoice: 11/22/18-SM						227561	11/22/18-SM	11/26/2018	USBNOV18	564.62
								IT/RAKUTEN/MICROSOFT SURFACE GO & TPYE COVER		
						564.62	81011881 535500	IT - C/E COMPUTER PARTS & EQ		
Invoice: 11/01/18-KJ						227562	11/01/18-KJ	11/26/2018	USBNOV18	207.09
								EXCC/IRONMOUNTAIN/SHREDDING		
						207.09	36011143 545000	CLERK-RENTS		
Invoice: 11/01/18-KJ-A						227563	11/01/18-KJ-A	11/26/2018	USBNOV18	207.09
								EXCC/IRONMOUNTAIN/SHREDDING		
						207.09	36011143 545000	CLERK-RENTS		
Invoice: 11/08/18-KJ						227564	11/08/18-KJ	11/26/2018	USBNOV18	414.18
								EXCC/IRONMOUNTAIN/SHREDDING		
						414.18	36011143 545000	CLERK-RENTS		
Invoice: 11/07/18-KJ						227565	11/07/18-KJ	11/26/2018	USBNOV18	75.92
								CC/T&C/MEALS - COUNCIL DINNER		
						75.92	11011116 539100	COUNCIL-C/E-WORKED MEALS		
Invoice: 11/15/18-KJ						227566	11/15/18-KJ	11/26/2018	USBNOV18	18.48
								CC/STARBUCKS/MEALS - COUNCIL RETREAT		
						18.48	11011116 539100	COUNCIL-C/E-WORKED MEALS		
Invoice: 11/15/18-KJ-A						227567	11/15/18-KJ-A	11/26/2018	USBNOV18	44.80
								CC/BLACKBIRD/MEALS - COUNCIL RETREAT		
						44.80	11011116 539100	COUNCIL-C/E-WORKED MEALS		
Invoice: 10/26/18-KS						227568	10/26/18-KS	11/26/2018	USBNOV18	30.48
								EX/PARTY CITY/HALLOWEEN SUPPLIES		
						30.48	31011572 531100	EX-GF-OUTREACH-SUPPLIES		
Invoice: 11/13/18-KS						227569	11/13/18-KS	11/26/2018	USBNOV18	35.01
								FIN/T&C/SNACKS - STAFF MEETING		
						35.01	41011141 531100	FIN - C/E ADMIN SUPPLIES		
Invoice: 11/13/18-KS-A						227570	11/13/18-KS-A	11/26/2018	USBNOV18	18.80
								FIN/HITCHCOCKDELI/COFFEE - STAFF MEETING		
						18.80	41011141 531100	FIN - C/E ADMIN SUPPLIES		
Invoice: 10/26/18-DS						227571	10/26/18-DS	11/26/2018	USBNOV18	1.00
								EX/CANVA/GRAPHIC DESIGN SOFTWARE		
						1.00	31011572 549900	EX-GF-OUTREACH-MISC		

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CASH ACCOUNT: 635			111100	CASH					
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: 10/24/18-KG-B				227574	10/24/18-KG-B	11/26/2018		USBNOV18	245.00
				ENG/AMSCE/MEMBERSHIP: MUNTER					
				245.00	72011321 549100	ENG - C/E ADMIN MISCELLEANEOUS			
Invoice: 11/01/18-KG				227575	11/01/18-KG	11/26/2018		USBNOV18	144.16
				ENG/HEAVYDUTYSUPPLIES/POLE MIRROR					
				144.16	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/01/18-KG-A				227576	11/01/18-KG-A	11/26/2018		USBNOV18	984.63
				ENG/HOMEDEPOT/INSPECTION TOOLS & SUPPLIES					
				984.63	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/05/18-KG				227577	11/05/18-KG	11/26/2018		USBNOV18	435.60
				ENG/AMAZON/INSPECTION TOOS & SUPPLIES					
				435.60	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/08/18-KG				227578	11/08/18-KG	11/26/2018		USBNOV18	91.58
				ENG/AMAZON/INSPECTION CAMERA					
				91.58	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/08/18-KG-A				227579	11/08/18-KG-A	11/26/2018		USBNOV18	21.96
				ENG/AMAZON/INSPECTION TOOLS & SUPPLIES					
				21.96	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/15/18-KG				227580	11/15/18-KG	11/26/2018		USBNOV18	-23.97
				ENG/AMAZON/INSPECTION TOOLS & SUPPLIES					
				-23.97	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 11/21/18-KG				227581	11/21/18-KG	11/26/2018		USBNOV18	275.00
				ENG/MRSC/POSTER RENEWAL					
				275.00	72011322 549100	ENG - C/E PLANS MISCELLANEOUS			
Invoice: 11/21/18-KG-A				227582	11/21/18-KG-A	11/26/2018		USBNOV18	13.58
				ENG/AMAZON/INSPECTION TOOS & SUPPLIES					
				13.58	72431832 53110000664	ST DOE SSWM-SUPPLIES			
Invoice: 10/27/18-CK				227583	10/27/18-CK	11/26/2018		USBNOV18	4,000.00
				PW/GREENRIVER/WETRC BASIC ELECTRICAL					
				4,000.00	73637891 443410	O&M-ALLOC ADM-TRAINING EXP			
Invoice: 11/02/18-CK				227584	11/02/18-CK	11/26/2018		USBNOV18	399.00
				PW/AGCEDU/CESL:STORMWATER BMPS FOR CONS					
				399.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
Invoice: 11/06/18-CK				227585	11/06/18-CK	11/26/2018		USBNOV18	508.74
				PW/AMAZON/OFFICE CHAIRS X3					
				508.74	73637891 531100	OFFICE SUPPLIES			
Invoice: 11/06/18-CK-A				227586	11/06/18-CK-A	11/26/2018		USBNOV18	42.00
				PW/CRCCEPAY/2019 WATERWORKS CERT					
				42.00	73637892 549100	O&M-ALLOC-WTR-DUES/SUBSCR			

CASH ACCOUNT: 635		111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: 11/09/18-CK				227587	11/09/18-CK	11/26/2018		USBNOV18	42.75
				PW/WADOL/TITLE - VEH #254					
				42.75	73638594 66400000905	2018-MED. DUTY ONCALL PICKUP			
Invoice: 11/09/18-CK-A				227588	11/09/18-CK-A	11/26/2018		USBNOV18	2.00
				PW/WADOL/SERVICE FEE - VEH #254					
				2.00	73638594 66400000905	2018-MED. DUTY ONCALL PICKUP			
Invoice: 11/13/18-CK				227589	11/13/18-CK	11/26/2018		USBNOV18	108.92
				PW/AMAZON/GENERAL PUMP X2					
				108.92	73011897 531100	O&M-C/E-PWY FAC-SUPPLIES			
Invoice: 11/13/18-CK-A				227590	11/13/18-CK-A	11/26/2018		USBNOV18	15.66
				PW/AMAZON/ICM CONTROLS - BREAK TIMER					
				15.66	73011897 531100	O&M-C/E-PWY FAC-SUPPLIES			
Invoice: 11/14/18-CK				227591	11/14/18-CK	11/26/2018		USBNOV18	16.34
				PW/ADOBE/PRO SUBSCRIPTION					
				16.34	73411345 549100	DUES/SUBSCRIPTIONS			
Invoice: 11/20/18-CK				227592	11/20/18-CK	11/26/2018		USBNOV18	571.02
				PW/CUNNINGHAMMFG/AA CYLINDER & SEAL					
				571.02	73425358 531100	O&M-WWTP-SUPPLIES			
CHECK 349296 TOTAL:									26,731.09
NUMBER OF CHECKS				1	*** CASH ACCOUNT TOTAL ***				26,731.09
				COUNT		AMOUNT			
TOTAL PRINTED CHECKS				1	26,731.09				
*** GRAND TOTAL ***									26,731.09

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	71								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		17,533.40	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			26,731.09
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 407-213000						ACCOUNTS PAYABLE		1,948.30	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		2,066.54	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 631-213000						ACCOUNTS PAYABLE		4,595.49	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 401-213000						ACCOUNTS PAYABLE		16.34	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		571.02	
12/07/2018	USBNOV18	120718				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								26,731.09	26,731.09
APP 631-130000						DUE TO/FROM CLEARING		22,135.60	
12/07/2018	USBNOV18	120718							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			17,533.40
12/07/2018	USBNOV18	120718							
APP 407-130000						DUE TO/FROM CLEARING			1,948.30
12/07/2018	USBNOV18	120718							
APP 403-130000						DUE TO/FROM CLEARING			2,066.54
12/07/2018	USBNOV18	120718							
APP 401-130000						DUE TO/FROM CLEARING			16.34
12/07/2018	USBNOV18	120718							
APP 402-130000						DUE TO/FROM CLEARING			571.02
12/07/2018	USBNOV18	120718							
SYSTEM GENERATED ENTRIES TOTAL								22,135.60	22,135.60
JOURNAL 2018/12/71 TOTAL								48,866.69	48,866.69

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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 12
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2018 12	71	12/07/2018		
001-130000			GENERAL - DUE TO/FROM CLEARING		17,533.40
001-213000			GENERAL - ACCOUNTS PAYABLE	17,533.40	
			FUND TOTAL	17,533.40	17,533.40
401 WATER OPERATING FUND	2018 12	71	12/07/2018		
401-130000			DUE TO/FROM CLEARING		16.34
401-213000			ACCOUNTS PAYABLE	16.34	
			FUND TOTAL	16.34	16.34
402 SEWER OPERATING FUND	2018 12	71	12/07/2018		
402-130000			DUE TO/FROM CLEARING		571.02
402-213000			ACCOUNTS PAYABLE	571.02	
			FUND TOTAL	571.02	571.02
403 STORM & SURFACE WATER FUND	2018 12	71	12/07/2018		
403-130000			DUE TO/FROM CLEARING		2,066.54
403-213000			ACCOUNTS PAYABLE	2,066.54	
			FUND TOTAL	2,066.54	2,066.54
407 BUILDING & DEVELOPMENT FUND	2018 12	71	12/07/2018		
407-130000			DUE TO/FROM CLEARING		1,948.30
407-213000			ACCOUNTS PAYABLE	1,948.30	
			FUND TOTAL	1,948.30	1,948.30
631 CLEARING FUND	2018 12	71	12/07/2018		
631-130000			DUE TO/FROM CLEARING	22,135.60	
631-213000			ACCOUNTS PAYABLE	4,595.49	
635-111100			CASH		26,731.09
			FUND TOTAL	26,731.09	26,731.09

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		17,533.40
401	WATER OPERATING FUND		16.34
402	SEWER OPERATING FUND		571.02
403	STORM & SURFACE WATER FUND		2,066.54
407	BUILDING & DEVELOPMENT FUND		1,948.30
631	CLEARING FUND	22,135.60	
	TOTAL	22,135.60	22,135.60

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12/7/18

12/07/2018 15:34 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349297 12/07/2018 PRD 7184 ISLAND VOLUNTEER CAR 227610 10/05/18 10/05/2018 M120718 6,375.00
Invoice: 10/05/18 Q3 2018 OPERATING SUPPORT
6,375.00 31017555 54110000297 EX-ELDER DAY SVCS/INTERFAITH S

CHECK 349297 TOTAL: 6,375.00

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 6,375.00

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	6,375.00

*** GRAND TOTAL *** 6,375.00

CLERK: fintemp

JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2018 12	74							
APP 001-213000					GENERAL - ACCOUNTS PAYABLE		6,375.00	
12/07/2018	M120718	120718			AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100					CASH			6,375.00
12/07/2018	M120718	120718			AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL							6,375.00	6,375.00
APP 631-130000					DUE TO/FROM CLEARING		6,375.00	
12/07/2018	M120718	120718						
APP 001-130000					GENERAL - DUE TO/FROM CLEARING			6,375.00
12/07/2018	M120718	120718						
SYSTEM GENERATED ENTRIES TOTAL							6,375.00	6,375.00
JOURNAL 2018/12/74 TOTAL							12,750.00	12,750.00

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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	74	12/07/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		6,375.00
001-213000				GENERAL - ACCOUNTS PAYABLE	6,375.00	
				FUND TOTAL	6,375.00	6,375.00
631 CLEARING FUND	2018 12	74	12/07/2018			
631-130000				DUE TO/FROM CLEARING	6,375.00	
635-111100				CASH		6,375.00
				FUND TOTAL	6,375.00	6,375.00

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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			6,375.00
631 CLEARING FUND		6,375.00	
	TOTAL	6,375.00	6,375.00

** END OF REPORT - Generated by Khammy Wahaus **

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12/10/18

12/10/2018 15:08 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

P 1
apcshdsb

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349299 12/10/2018 PRD 8745 RELIABLE STORAGE BAI 227615 30014 12/10/2018 21800004 M121018 216.55
Invoice: 30014 POL/STORAGE UNIT J28
216.55 53011212 545000 POLICE - C/E PATROL RENTS

CHECK 349299 TOTAL: 216.55

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 216.55

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	216.55

*** GRAND TOTAL *** 216.55

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	90								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		216.55	
12/10/2018	M121018	121018				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			216.55
12/10/2018	M121018	121018				AP CASH DISBURSEMENTS JOURNAL			
						GENERAL LEDGER TOTAL		216.55	216.55
APP 631-130000						DUE TO/FROM CLEARING		216.55	
12/10/2018	M121018	121018				GENERAL - DUE TO/FROM CLEARING			216.55
APP 001-130000									
12/10/2018	M121018	121018				SYSTEM GENERATED ENTRIES TOTAL		216.55	216.55
						JOURNAL 2018/12/90	TOTAL	433.10	433.10

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	90	12/10/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		216.55
001-213000				GENERAL - ACCOUNTS PAYABLE	216.55	
				FUND TOTAL	216.55	216.55
631 CLEARING FUND	2018 12	90	12/10/2018			
631-130000				DUE TO/FROM CLEARING	216.55	
635-111100				CASH		216.55
				FUND TOTAL	216.55	216.55

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

JOURNAL ENTRIES TO BE CREATED

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FUND		DUE TO	DUE FROM
001 GENERAL FUND			216.55
631 CLEARING FUND		216.55	
	TOTAL	216.55	216.55

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12/11/2018 11:02 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349300	12/11/2018	PRTD	9102 KAREN CARNOT	227616	12/04/18	12/04/2018		M121118	99.35
Invoice: 12/04/18						PW/RAIN GARDEN TRAINING AT O&M			
				99.35	73637891 443410	O&M-ALLOC ADM-TRAINING EXP			
								CHECK 349300 TOTAL:	99.35
NUMBER OF CHECKS 1						*** CASH ACCOUNT TOTAL ***			99.35
						COUNT	AMOUNT		
TOTAL PRINTED CHECKS						1	99.35		
								*** GRAND TOTAL ***	99.35

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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CLERK: fintemp

JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	99								
APP 631-213000						ACCOUNTS PAYABLE		99.35	
12/11/2018	M121118	121118				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			99.35
12/11/2018	M121118	121118				AP CASH DISBURSEMENTS JOURNAL			
JOURNAL 2018/12/99							TOTAL	99.35	99.35

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
631 CLEARING FUND	2018 12	99	12/11/2018			
631-213000				ACCOUNTS PAYABLE	99.35	
635-111100				CASH		99.35
				FUND TOTAL	99.35	99.35

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12/13/18

12/13/2018 11:47 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349301 12/13/2018 PRD 102 CITY OF BAINBRIDGE I 227600 RETREQ-247 11/16/2018 21800098 12/23/18 1,437.75
Invoice: RETREQ-247 LINEAR MOORAGE SYSTEM REMOVAL
1,437.75 73011757 54810000247 WF DOCK/LINEAL MOORAGE R&M
CHECK 349301 TOTAL: 1,437.75

349302 12/13/2018 PRD 5403 NORWEST MARINE, LLC 227605 PAYREQ-247 11/16/2018 21800097 12/23/18 27,317.25
Invoice: PAYREQ-247 LINEAR MOORAGE SYSTEM REMOVAL
27,317.25 73011757 54810000247 WF DOCK/LINEAL MOORAGE R&M
CHECK 349302 TOTAL: 27,317.25

NUMBER OF CHECKS 2 *** CASH ACCOUNT TOTAL *** 28,755.00

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	2	28,755.00

*** GRAND TOTAL *** 28,755.00

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fintemp |A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	152								
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		28,755.00	
12/13/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			28,755.00
12/13/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
						GENERAL LEDGER TOTAL		28,755.00	28,755.00
APP 631-130000						DUE TO/FROM CLEARING		28,755.00	
12/13/2018	12/23/18	122318							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			28,755.00
12/13/2018	12/23/18	122318							
						SYSTEM GENERATED ENTRIES TOTAL		28,755.00	28,755.00
						JOURNAL 2018/12/152 TOTAL		57,510.00	57,510.00

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	152	12/13/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		28,755.00
001-213000				GENERAL - ACCOUNTS PAYABLE	28,755.00	
				FUND TOTAL	28,755.00	28,755.00
631 CLEARING FUND	2018 12	152	12/13/2018			
631-130000				DUE TO/FROM CLEARING	28,755.00	
635-111100				CASH		28,755.00
				FUND TOTAL	28,755.00	28,755.00

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001 GENERAL FUND			28,755.00
631 CLEARING FUND		28,755.00	
	TOTAL	28,755.00	28,755.00

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fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635			111100	CASH					
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349303	12/13/2018	PRTD	551 CENTURYLINK	227626	5211DEC18	12/02/2018		12/23/18	188.18
Invoice: 5211DEC18						POL/PHONE SVC			
				188.18	91011215 542100	GG-C/E-PD-PHONE			
				227627	0754DEC18	12/02/2018		12/23/18	72.94
Invoice: 0754DEC18						FLETCHER BAY WELL TELEM.			
				72.94	91411891 542100	GG-WTR-FAC-PHONE			
				227628	0456DEC18	12/02/2018		12/23/18	69.99
Invoice: 0456DEC18						VILLAGE SEWER PUMP TELEM			
				69.99	91421891 542100	GG-SWR-FAC-PHONE			
				227629	9791DEC18	12/02/2018		12/23/18	137.80
Invoice: 9791DEC18						POL T.I. MANDUS TELCOM			
				137.80	91011215 542100	GG-C/E-PD-PHONE			
				227630	8731DEC18	12/02/2018		12/23/18	50.83
Invoice: 8731DEC18						COMMONS FIRE ALARM MONITORING			
				50.83	91011755 542100	GG-C/E-COMMONS-PHONE			
				227631	0225DEC18	12/02/2018		12/23/18	104.12
Invoice: 0225DEC18						O&M FIRE ALARM MONITORING			
				104.12	91011897 542100	GG-C/E-O&M YARD FAC-PHONE			
				227632	1745DEC18	12/02/2018		12/23/18	50.01
Invoice: 1745DEC18						C.H. ELEVATOR SVC LINE			
				50.01	91011189 542100	GG-C/E-CITY HALL-PHONE			
				227633	9136DEC18	12/02/2018		12/23/18	141.06
Invoice: 9136DEC18						C.H. SECURITY ALARM MONITORING			
				141.06	91011189 542100	GG-C/E-CITY HALL-PHONE			
				227634	9858DEC18	12/02/2018		12/23/18	50.35
Invoice: 9858DEC18						SANDS AVE WELL TELEM.			
				50.35	91411891 542100	GG-WTR-FAC-PHONE			
				227635	3736DEC18	12/02/2018		12/23/18	104.12
Invoice: 3736DEC18						C.H. FIRE ALARM MONITORING			
				104.12	91011189 542100	GG-C/E-CITY HALL-PHONE			
								CHECK 349303 TOTAL:	969.40
349304	12/13/2018	PRTD	1205 PUGET SOUND ENERGY	227640	CITY HALL - DEC 2018	12/03/2018		12/23/18	4,787.20
Invoice: CITY HALL - DEC 2018						CITY HALL - DEC 2018			
				4,787.20	91011189 547100	GG-C/E-CITY HALL-ELECTRIC			
								CHECK 349304 TOTAL:	4,787.20

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH

CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349305 12/13/2018 PRD 1485 VERIZON WIRELESS 227665 9819499232 12/01/2018 12/23/18 5,653.50

Invoice: 9819499232 NOV 18 CITY WIDE CELL PHONE SVC

5,653.50 91011189 542100 GG-C/E-CITY HALL-PHONE

CHECK 349305 TOTAL: 5,653.50

NUMBER OF CHECKS 3 *** CASH ACCOUNT TOTAL *** 11,410.10

COUNT AMOUNT

TOTAL PRINTED CHECKS 3 11,410.10

*** GRAND TOTAL *** 11,410.10

JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2018 12	155							
APP 001-213000					GENERAL - ACCOUNTS PAYABLE		11,216.82	
12/13/2018	12/23/18	121318			AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100					CASH			11,410.10
12/13/2018	12/23/18	121318			AP CASH DISBURSEMENTS JOURNAL			
APP 401-213000					ACCOUNTS PAYABLE		123.29	
12/13/2018	12/23/18	121318			AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000					ACCOUNTS PAYABLE		69.99	
12/13/2018	12/23/18	121318			AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL							11,410.10	11,410.10
APP 631-130000					DUE TO/FROM CLEARING		11,410.10	
12/13/2018	12/23/18	121318						
APP 001-130000					GENERAL - DUE TO/FROM CLEARING			11,216.82
12/13/2018	12/23/18	121318						
APP 401-130000					DUE TO/FROM CLEARING			123.29
12/13/2018	12/23/18	121318						
APP 402-130000					DUE TO/FROM CLEARING			69.99
12/13/2018	12/23/18	121318						
SYSTEM GENERATED ENTRIES TOTAL							11,410.10	11,410.10
JOURNAL 2018/12/155 TOTAL							22,820.20	22,820.20

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|CITY OF BAINBRIDGE ISLAND
|A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	155	12/13/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		11,216.82
001-213000				GENERAL - ACCOUNTS PAYABLE	11,216.82	
				FUND TOTAL	11,216.82	11,216.82
401 WATER OPERATING FUND	2018 12	155	12/13/2018			
401-130000				DUE TO/FROM CLEARING		123.29
401-213000				ACCOUNTS PAYABLE	123.29	
				FUND TOTAL	123.29	123.29
402 SEWER OPERATING FUND	2018 12	155	12/13/2018			
402-130000				DUE TO/FROM CLEARING		69.99
402-213000				ACCOUNTS PAYABLE	69.99	
				FUND TOTAL	69.99	69.99
631 CLEARING FUND	2018 12	155	12/13/2018			
631-130000				DUE TO/FROM CLEARING	11,410.10	
635-111100				CASH		11,410.10
				FUND TOTAL	11,410.10	11,410.10

FUND		DUE TO	DUE FROM
001	GENERAL FUND		11,216.82
401	WATER OPERATING FUND		123.29
402	SEWER OPERATING FUND		69.99
631	CLEARING FUND	11,410.10	
	TOTAL	11,410.10	11,410.10

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12/13/18

12/14/2018 14:54 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349306 12/14/2018 PRD 8995 TITAN EARTHWORK, LLC 227779 PAYREQ2-7880/800 12/12/2018 21800086 M121418 578,700.90
Invoice: PAYREQ2-7880/800
CORE 40 MILLER - FLETCHER BAY
171,566.20 72334562 66300000780 C40-FLETCHER BAY-CONSTR
407,134.70 72334562 66300000800 C40-MILLER RD-CONSTR
CHECK 349306 TOTAL: 578,700.90

349307 12/14/2018 PRD 8331 SUMMIT TOWING, INC. 227780 57311 12/14/2018 M121418 333.95
Invoice: 57311
PW/TOWING #3 TO SURPLUS
333.95 73011483 548100 O&M-GF-MECH SHOP-REPAIRS
227781 57310 12/14/2018 M121418 333.95
Invoice: 57310
PW/TOWING #7 TO SURPLUS
333.95 73431835 548100 REPAIRS & MAINTENANCE
227782 57309 12/14/2018 M121418 333.95
Invoice: 57309
PW/TOWING #48 TO SURPLUS
166.97 73111423 548100 REPAIRS & MAINTENANCE
166.98 73111427 548100 O&M-ACCESS RDSIDE R&M
CHECK 349307 TOTAL: 1,001.85

NUMBER OF CHECKS 2 *** CASH ACCOUNT TOTAL *** 579,702.75

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	2	579,702.75

*** GRAND TOTAL *** 579,702.75

12/14/2018 14:54 |CITY OF BAINBRIDGE ISLAND
fintemp |A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	168								
APP 301-213000						ACCOUNTS PAYABLE		578,700.90	
12/14/2018	M121418	121418				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			579,702.75
12/14/2018	M121418	121418				AP CASH DISBURSEMENTS JOURNAL			
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		333.95	
12/14/2018	M121418	121418				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		333.95	
12/14/2018	M121418	121418				AP CASH DISBURSEMENTS JOURNAL			
APP 101-213000						STREETS - ACCOUNTS PAYABLE		333.95	
12/14/2018	M121418	121418				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								579,702.75	579,702.75
APP 631-130000						DUE TO/FROM CLEARING		579,702.75	
12/14/2018	M121418	121418							
APP 301-130000						DUE TO/FROM CLEARING			578,700.90
12/14/2018	M121418	121418							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			333.95
12/14/2018	M121418	121418							
APP 403-130000						DUE TO/FROM CLEARING			333.95
12/14/2018	M121418	121418							
APP 101-130000						STREETS - DUE TO/FROM CLEARING			333.95
12/14/2018	M121418	121418							
SYSTEM GENERATED ENTRIES TOTAL								579,702.75	579,702.75
JOURNAL 2018/12/168 TOTAL								1,159,405.50	1,159,405.50

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2018 12	168	12/14/2018		
001-130000			GENERAL - DUE TO/FROM CLEARING		333.95
001-213000			GENERAL - ACCOUNTS PAYABLE	333.95	
			FUND TOTAL	333.95	333.95
101 STREET FUND	2018 12	168	12/14/2018		
101-130000			STREETS - DUE TO/FROM CLEARING		333.95
101-213000			STREETS - ACCOUNTS PAYABLE	333.95	
			FUND TOTAL	333.95	333.95
301 CAPITAL CONSTRUCTION FUND	2018 12	168	12/14/2018		
301-130000			DUE TO/FROM CLEARING		578,700.90
301-213000			ACCOUNTS PAYABLE	578,700.90	
			FUND TOTAL	578,700.90	578,700.90
403 STORM & SURFACE WATER FUND	2018 12	168	12/14/2018		
403-130000			DUE TO/FROM CLEARING		333.95
403-213000			ACCOUNTS PAYABLE	333.95	
			FUND TOTAL	333.95	333.95
631 CLEARING FUND	2018 12	168	12/14/2018		
631-130000			DUE TO/FROM CLEARING	579,702.75	
635-111100			CASH		579,702.75
			FUND TOTAL	579,702.75	579,702.75

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		333.95
101	STREET FUND		333.95
301	CAPITAL CONSTRUCTION FUND		578,700.90
403	STORM & SURFACE WATER FUND		333.95
631	CLEARING FUND	579,702.75	
	TOTAL	579,702.75	579,702.75

** END OF REPORT - Generated by Khammy Wahaus **

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12/17/18

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

349308 12/17/2018 PRD 8112 KIDDER MATHEWS LLC 227811 12/12/18 12/12/2018 M121718 3,000.00
Invoice: 12/12/18 PD/COURT BLDG- (HARRISON SITE
3,000.00 72311942 64110000724 PD/COURT BLDG-PROF SVCS/DESIGN
CHECK 349308 TOTAL: 3,000.00

349309 12/17/2018 PRD 9086 WINSLOW MARINE LLC 227812 12/17/18 12/17/2018 M121718 750.00
Invoice: 12/17/18 ENG/OLYMPIC DRIVE REIMB OF ATTORNEY FEES
750.00 72334951 64500000596 SR305-OLYMPIC NM-TEMP ROW
CHECK 349309 TOTAL: 750.00

NUMBER OF CHECKS 2 *** CASH ACCOUNT TOTAL *** 3,750.00

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	2	3,750.00

*** GRAND TOTAL *** 3,750.00

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	199								
APP 301-213000						ACCOUNTS PAYABLE		3,750.00	
12/17/2018	M121718	121718				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			3,750.00
12/17/2018	M121718	121718				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								3,750.00	3,750.00
APP 631-130000						DUE TO/FROM CLEARING		3,750.00	
12/17/2018	M121718	121718							
APP 301-130000						DUE TO/FROM CLEARING			3,750.00
12/17/2018	M121718	121718							
SYSTEM GENERATED ENTRIES TOTAL								3,750.00	3,750.00
JOURNAL 2018/12/199 TOTAL								7,500.00	7,500.00

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
301 CAPITAL CONSTRUCTION FUND	2018 12	199	12/17/2018			
301-130000				DUE TO/FROM CLEARING		3,750.00
301-213000				ACCOUNTS PAYABLE	3,750.00	
				FUND TOTAL	3,750.00	3,750.00
631 CLEARING FUND	2018 12	199	12/17/2018			
631-130000				DUE TO/FROM CLEARING	3,750.00	
635-111100				CASH		3,750.00
				FUND TOTAL	3,750.00	3,750.00

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
301 CAPITAL CONSTRUCTION FUND			3,750.00
631 CLEARING FUND		3,750.00	
	TOTAL	3,750.00	3,750.00

** END OF REPORT - Generated by Khammy Wahaus **

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CASH ACCOUNT: 635 111100 CASH			VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE VENDOR NAME			INVOICE DTL DESC			
349310	12/19/2018	PRTD 5 ACE HARDWARE	227649	42389/1	12/05/2018		12/23/18	49.04
		Invoice: 42389/1			PW/MILK HOUSE UTILITY HEATER			
			49.04	73411345 531100	OFFICE SUPPLIES			
			227650	42403/1	12/05/2018		12/23/18	49.45
		Invoice: 42403/1			PW/FASTENERS, SHOVEL, ONE-WRAP TIE			
			49.45	73431835 531100	OFFICE SUPPLIES			
			227651	42388/1	12/04/2018		12/23/18	87.19
		Invoice: 42388/1			PW/BACKPACK SPRAY			
			87.19	73111252 53110000903	2018 STORM RESP-STRT-SUPPLY			
			227652	42386/1	12/04/2018		12/23/18	32.69
		Invoice: 42386/1			PW/HANDY HEATER PLUG-IN			
			32.69	73416345 531100	CASEY STREET WTR-SUPPLIES			
			227653	42372/1	12/03/2018		12/23/18	19.61
		Invoice: 42372/1			PW/GARDEN STAPLES			
			19.61	73431835 531100	OFFICE SUPPLIES			
			227654	42373/1	12/03/2018		12/23/18	28.86
		Invoice: 42373/1			PW/LIGHT SET, CABLE TIES			
			28.86	73111290 531100	O&M-STREET-MAINT O/H-SUPPLIES			
			227682	42381/1	12/04/2018		12/23/18	17.73
		Invoice: 42381/1			PW/HOOKS & CUPS			
			17.73	51011215 531100	POLICE - C/E FACIL SUPPLIES			
			227783	42345/1	11/29/2018		12/23/18	19.23
		Invoice: 42345/1			ENG/DISTILLED H2O, WEATHERSTRIP, TOWELS			
			19.23	72431832 53110000809	WTR QUAL & FLOW MONIT-SUPPLIES			
					CHECK	349310	TOTAL:	303.80
349311	12/19/2018	PRTD 7994 PENINSULA SERVICES	227785	87671	11/30/2018	218000008	12/23/18	64.00
		Invoice: 87671			POL/MOBILE SHREDDING			
			64.00	51011211 541100	PD-C/E-ADM-PROF SVCS			
					CHECK	349311	TOTAL:	64.00
349312	12/19/2018	PRTD 8014 ALSTON, COURTNAGE &	227683	116770	11/30/2018		12/23/18	740.00
		Invoice: 116770			PW/PROF SVC: HARRISON BLDG			
			740.00	72311942 64110000724	PD/COURT BLDG-PROF SVCS/DESIGN			
					CHECK	349312	TOTAL:	740.00
349313	12/19/2018	PRTD 6488 WOOD ENVIRONMENT & I	227788	S51700970	11/14/2018		12/23/18	616.00
		Invoice: S51700970			3RD PARTY GEOTECHNICAL REVIEW - PLN50804B SPR			
			616.00	72655860 58600000370	GEO TECCH-3RD PARTY REVIEWS			

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
CHECK 349313 TOTAL:									616.00
349314	12/19/2018	PRTD	29 AMERICAN WATER WORKS	227645	3370	11/26/2018		12/23/18	250.00
Invoice: 3370						PW/WWUC DUES 2019 - CK			
					250.00	73411345	549100	DUES/SUBSCRIPTIONS	
CHECK 349314 TOTAL:									250.00
349315	12/19/2018	PRTD	4710 ASSOCIATED PETROLEU	227684	9040507	12/01/2018		12/23/18	1.10
Invoice: 9040507						PW/PROPANE TANK RENTAL			
					1.10	73011897	545000	O&M-C/E-PWYD FAC-RENTS	
CHECK 349315 TOTAL:									1.10
349316	12/19/2018	PRTD	7821 AUS WEST LOCKBOX	227646	1991012859	12/06/2018		12/23/18	57.52
Invoice: 1991012859						PW/LAUNDRY SVC			
					57.52	73638893	589310	LAUNDRY SERVICES	
CHECK 349316 TOTAL:									57.52
349317	12/19/2018	PRTD	2138 ASPECT CONSULTING LL	227756	31547	11/15/2018	21700004	12/23/18	1,145.00
Invoice: 31547						ENG/GROUNDWATER MGMT.			
					1,145.00	72637319	54110000809	WATER QUAL FLOW MONIT-PRO SVCS	
					227802	31738		12/14/2018	12/23/18
								ENG/MILLER RD SHOULDER IMPROVEMENT	281.45
Invoice: 31738						281.45	72334562	64110000800	C40-MILLER RD-ENG/DESIGN
CHECK 349317 TOTAL:									1,426.45
349318	12/19/2018	PRTD	1235 AT&T ONENET SERVICE	227620	1269224495	12/01/2018		12/23/18	.64
Invoice: 1269224495						PCD/FAX LONG DIST DEC18			
					.64	91011189	542100	GG-C/E-CITY HALL-PHONE	
					227622	1269215859		12/01/2018	12/23/18
								FIN/FAX LONG DIST DEC18	25.44
Invoice: 1269215859						25.44	91011189	542100	GG-C/E-CITY HALL-PHONE
CHECK 349318 TOTAL:									26.08
349319	12/19/2018	PRTD	4365 AUTOMATIC FUNDS TRAN	227593	BAIN1811983	11/30/2018		12/23/18	307.00
Invoice: BAIN1811983						FIN/PHONE & WEB PYMT SVCS			
					153.50	43411341	541100	FIN - WATER ADMIN PROF SERVICE	
					153.50	43421351	541100	FIN - SEWER ADMIN PROF SERVICE	

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CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC

CHECK 349319 TOTAL: 307.00

349320 12/19/2018 PRD 4861 AXON ENTERPRISES, IN 227686 SI-1563093 11/26/2018 12/23/18 58,102.46
Invoice: SI-1563093 POL/FLEET PACKAGE, YR 1

6,327.46 53011212 53510000956 AXON CAMERA SYSTEMS-SOFTWARE
31,337.50 53011212 53110000956 AXON CAMERA SYSTEMS-HARDWARE
14,987.50 53011212 54850000956 AXON CAMERA SYSTEMS-MAINT
5,450.00 53011212 44341000956 AXON CAMERA SYSTEMS-TRAINING

CHECK 349320 TOTAL: 58,102.46

349321 12/19/2018 PRD 47 BAINBRIDGE DISPOSAL 227594 0000815277 11/30/2018 12/23/18 347.39
Invoice: 0000815277 C.H. DIS SVCS NOV 18
GG-C/E-CITY HALL-GARBAGE

347.39 91011189 547900

Invoice: 0000815336

227595 0000815336 11/30/2018 12/23/18 56.07
BIG BELLY DISPOSAL SVCS NOV 18
BIG BELLY SOLAR GARBAGE CANS

56.07 91011189 547903

Invoice: 0000815075

227597 0000815075 11/30/2018 12/23/18 1,569.03
CITYWIDE DISPOSAL SVCS NOV 18
GG-C/E-PD-GARBAGE
GG-C/E-PARKS-GARBAGE
GG-WWTP-GARBAGE (NOT BIOSOLIDS)
GG-C/E-O&M YARD FAC-GARBAGE

143.25 91011215 547900
436.16 91011768 547900
332.83 91425358 547900
656.79 91011897 547900

Invoice: 0000815037

227655 0000815037 11/30/2018 12/23/18 257.98
SEN CTR - COMMONS GARBAGE SVC
GG-C/E-COMMONS-GARBAGE

257.98 91011755 547900

CHECK 349321 TOTAL: 2,230.47

349322 12/19/2018 PRD 54 BAINBRIDGE RENTAL IN 227656 CON# 42739 12/03/2018 12/23/18 326.99
Invoice: CON# 42739 PW/12' ALUMINUM LADDER
O&M - C/E FACIL OFC SUPPLIES

326.99 73011189 531100

CHECK 349322 TOTAL: 326.99

349323 12/19/2018 PRD 55 SOUND PUBLISHING, IN 227657 7886007 11/30/2018 12/23/18 421.50
Invoice: 7886007 EX/AD - CITIZEN ADVISORY BOARD
EX-GF-ADV

421.50 31011131 544000

Invoice: 7886007-A

227687 7886007-A 11/30/2018 12/23/18 140.00
PCD/WINSLOW HOTEL PLN50880
CUR-DEV-ZONING-ADV

140.00 63470586 544000

Invoice: 7886041

227688 7886041 11/30/2018 12/23/18 87.50
POL/CLASSIFIEDS - PROPERTY

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CASH ACCOUNT: 635			111100 CASH		VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE VENDOR NAME	INVOICE DTL DESC							
			87.50	51011191 544000	PD-C/E-PROP RM-ADVERTISING					
			CHECK 349323 TOTAL:							649.00
349324	12/19/2018	PRTD 55 SOUND PUBLISHING, IN	227611	BIR836037	11/30/2018		12/23/18		79.10	
Invoice: BIR836037			79.10	63470586 544000	PCD/ITC BLD23602 CUR-DEV-ZONING-ADV					
			227612	BIR836034	11/30/2018		12/23/18		70.83	
Invoice: BIR836034			70.83	63470586 544000	PCD/ITC BLD23571 CUR-DEV-ZONING-ADV					
			227613	BIR836401	11/30/2018		12/23/18		243.19	
Invoice: BIR836401			243.19	63470586 544000	PCD/SEPA PLN51215 SSDP CUR-DEV-ZONING-ADV					
			CHECK 349324 TOTAL:							393.12
349325	12/19/2018	PRTD 57 BAY HAY & FEED	227789	1383531	12/04/2018		12/23/18		98.05	
Invoice: 1383531			98.05	72431832 53110000809	ENG/PRUNER WTR QUAL & FLOW MONIT-SUPPLIES					
			CHECK 349325 TOTAL:							98.05
349326	12/19/2018	PRTD 7769 BERK & ASSOCIATES, I	227814	10284-11-18	12/11/2018		12/23/18		5,662.50	
Invoice: 10284-11-18			5,662.50	31011131 541100	EX/2018 CODE CONSISTENCY REVIEW EX-GF-PROF SERVICES					
			CHECK 349326 TOTAL:							5,662.50
349327	12/19/2018	PRTD 1052 CANON SOLUTIONS AMER	227803	902773789	12/03/2018		12/23/18		221.79	
Invoice: 902773789			110.89	61011581 545000	PCD,ENG/PLOTTER PAPER PCD - C/E ADMIN RENTS & LEASES					
			110.90	72011321 545000	ENG - C/E ADMIN RENTS & LEASES					
			CHECK 349327 TOTAL:							221.79
349328	12/19/2018	PRTD 7621 CAROLLO ENGINEERS IN	227625	0171574	11/12/2018		12/23/18		1,474.00	
Invoice: 0171574			1,474.00	72411345 54110000336	ENG/UPDATE WATER MODELING CONTRACT ANNUAL WATER MAINS PRES-PROFSV					
			CHECK 349328 TOTAL:							1,474.00
349329	12/19/2018	PRTD 551 CENTURYLINK	227790	5996DEC18	12/07/2018		12/23/18		80.75	
Invoice: 5996DEC18			80.75	91011757 542100	E-PHONE @ WFP DOCK GG-GF-WFP DOCK-PHONE					

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
CHECK 349329 TOTAL:									80.75
349330	12/19/2018	PRTD	102 CITY OF BAINBRIDGE I	227689	RETREQ6-782	11/30/2018	21800077	12/23/18	480.66
Invoice: RETREQ6-782					RET- VILLAGE PUMP STATION				
					480.66	72423434	66300000782	VILLAGE PUMP STATION-CONSTR	
CHECK 349330 TOTAL:									480.66
349331	12/19/2018	PRTD	103 CITY OF BAINBRIDGE I	227598	21800224	12/04/2018		12/23/18	181.99
Invoice: 21800224					PW/SANDS WELL H2O USAGE				
					35.98	73011189	547500	O&M-C/E-FAC-CITY WTR/SWR	
					38.59	73111290	547500	O&M-STREET-ADM OH-CITY WTR/SWR	
					41.20	73421355	547500	O&M-SWR-CITY WATER/SEWER BILL	
					66.22	73431835	547500	O&M-SSWM MAINT-CITY WTR/SWR	
CHECK 349331 TOTAL:									181.99
349332	12/19/2018	PRTD	104 CITY OF BREMERTON	227804	BKAT000458	12/03/2018		12/23/18	2,750.00
Invoice: BKAT000458					IT/BKAT-DEC18				
					2,750.00	81011881	542420	IT-C/E-TELEVISTED COUNCIL MEET	
CHECK 349332 TOTAL:									2,750.00
349333	12/19/2018	PRTD	9100 CITY OF KIRKLAND POL	227601	11/28/18	11/27/2018		12/23/18	72.50
Invoice: 11/28/18					TRAVEL - ASSESSMENT CENTER				
					72.50	91011211	531100	GG-C/E-CIVIL SVC-OFC SUP	
CHECK 349333 TOTAL:									72.50
349334	12/19/2018	PRTD	2624 COASTAL GEOLOGIC SER	227793	18-175	12/04/2018		12/23/18	7,075.25
Invoice: 18-175					ENG/MANITOU PARK BLVD SHORELINE ST				
					7,075.25	72111421	54110000952	MANITOU PARK RD-DESIGN/ENG	
CHECK 349334 TOTAL:									7,075.25
349335	12/19/2018	PRTD	112 CODE PUBLISHING COMP	227604	61893	11/26/2018		12/23/18	350.00
Invoice: 61893					CLERK/WEB HOSTING - ANNUAL FEES				
					350.00	36011143	541100	CLERK-C/E-PROF SVCS	
CHECK 349335 TOTAL:									350.00
349336	12/19/2018	PRTD	8636 CONTRACT LAND STAFF,	227816	3888.16.12 - 0105796	11/12/2018		12/23/18	5,869.45
Invoice: 3888.16.12 - 0105796					ENG/PROF SVCS - OCT - NOV 2018				
					5,869.45	72111442	54110000709	ROW ACQ W/TBD FUNDS-PROF SVCS	

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
CHECK 349336 TOTAL:									5,869.45
349337	12/19/2018	PRTD	9101 RANDI CROCKER	227603	11/21/18	11/21/2018		12/23/18	51.14
Invoice: 11/21/18						TRAVEL - CORPORAL ASSESSMENT CTR			
				51.14	91011211 531100	GG-C/E-CIVIL SVC-OFC SUP			
CHECK 349337 TOTAL:									51.14
349338	12/19/2018	PRTD	6363 LN CURTIS & SONS	227690	INV217368	09/17/2018		12/23/18	28.29
Invoice: INV217368						POL/HANDCUFF POUCH: BINGHAM			
				28.29	53011212 531100	PD-C/E-PATROL SUPPLIES			
				227691	INV218205	09/17/2018		12/23/18	56.68
Invoice: INV218205						POL/PISTOL POUCH: BINGHAM			
				56.68	53011212 531100	PD-C/E-PATROL SUPPLIES			
CHECK 349338 TOTAL:									84.97
349339	12/19/2018	PRTD	7016 CUSTOM PRINTING	227658	8186	12/03/2018		12/23/18	67.85
Invoice: 8186						EX/BUS CARDS : AS			
				67.85	31011131 531100	EX-GF-SUPPLIES			
CHECK 349339 TOTAL:									67.85
349340	12/19/2018	PRTD	212 FABRICARE 02 - PLANT	227699	12/02/18	12/02/2018		12/23/18	268.31
Invoice: 12/02/18						POL/LAUNDRY SVCS			
				88.31	51011211 520000	PD-C/E ADMIN-BENEFITS			
				153.60	52011212 520000	POLICE - C/E INVEST BENEFITS			
				26.40	53011212 520000	POLICE - C/E PATROL BENEFITS			
				227700	05/01/18	05/01/2018		12/23/18	222.81
Invoice: 05/01/18						POL/LAUNDRY SVCS			
				41.31	51011211 520000	PD-C/E ADMIN-BENEFITS			
				125.25	52011212 520000	POLICE - C/E INVEST BENEFITS			
				56.25	53011212 520000	POLICE - C/E PATROL BENEFITS			
CHECK 349340 TOTAL:									491.12
349341	12/19/2018	PRTD	1517 GUARDIAN SECURITY SY	227702	864784	12/01/2018	21800002	12/23/18	239.00
Invoice: 864784						POL/ALARM MONITORING			
				239.00	51011215 541100	POLICE - C/E FACIL PROF SVCS			
CHECK 349341 TOTAL:									239.00

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
349342	12/19/2018	PRTD	252 H.D. FOWLER COMPANY	227659	I5020994	11/20/2018		12/23/18	12.76
			Invoice: I5020994			PW/GROUNDS SUPPLY			
				12.76	73011768 531100	O&M-C/E-PARKS-SUPPLIES			
				227703	I5017084	11/15/2018		12/23/18	259.83
			Invoice: I5017084			PW/PLUMBING SUPPLIES			
				259.83	73011768 531100	O&M-C/E-PARKS-SUPPLIES			
						CHECK	349342	TOTAL:	272.59
349343	12/19/2018	PRTD	9038 HEDEEN & CADITZ, PLL	227721	8806	12/06/2018		12/23/18	90.00
			Invoice: 8806			LEGAL/PROF SVCS: NORDLAND			
				90.00	32011262 54111000668	LGL-STO PRE-DEFENSE NORDLAND			
						CHECK	349343	TOTAL:	90.00
349344	12/19/2018	PRTD	5275 KAISER PERMANENTE	227660	67648608	12/01/2018		12/23/18	125.00
			Invoice: 67648608			PW/CDL EXAM : RN			
				125.00	73431835 541100	PROFESSIONAL SERVICES			
						CHECK	349344	TOTAL:	125.00
349345	12/19/2018	PRTD	338 KITSAP COUNTY SHERIF	227707	SEP18	09/30/2018		12/23/18	4,915.17
			Invoice: SEP18			POL/PRISONER BOARD			
				4,915.17	51011236 551000	POLICE - C/E PRISONER DETENT'N			
						CHECK	349345	TOTAL:	4,915.17
349346	12/19/2018	PRTD	338 KITSAP COUNTY CORREC	227708	AUG18	08/31/2018		12/23/18	4,484.71
			Invoice: AUG18			POL/PRISONER BOARD			
				4,484.71	51011236 551000	POLICE - C/E PRISONER DETENT'N			
						CHECK	349346	TOTAL:	4,484.71
349347	12/19/2018	PRTD	4168 KITSAP COUNTY SHERIF	227709	2018-034	12/03/2018		12/23/18	387.96
			Invoice: 2018-034			POL/EVOC TRAINING X12			
				387.96	53011212 443410	POLICE - C/E PATROL TRAINING			
						CHECK	349347	TOTAL:	387.96
349348	12/19/2018	PRTD	1971 KELLEY IMAGING SYSTE	227636	IN462893	11/28/2018		12/23/18	119.90
			Invoice: IN462893			CRT/STAPLE CARTRIDGE			
				119.90	21011125 545000	COURT - RENTS & LEASES - OPER			
				227705	IN467319	12/05/2018		12/23/18	1,922.14

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CASH ACCOUNT: 635			111100	CASH											NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN							
INVOICE DTL DESC															
Invoice: IN467319					1,922.14	61470581	545000	PCD/4505AC - OVERAGES PCD - DEV ADMIN RENTS & LEASES							
					227706	23825742		12/03/2018	21800009	12/23/18					279.04
Invoice: 23825742					279.04	51011211	545000	POL/4555C COPIER LEASE PD-C/E-ADMIN RENTS/LEASE							
										CHECK	349348	TOTAL:			2,321.08
349349	12/19/2018	PRTD	2421 KITSAP COUNTY NOXIOU	227661	312746	12/01/2018		12/23/18	870.00						
Invoice: 312746					870.00	73435838	549800	PW/SOLID WASTE PERMIT FEE O&M-DECANT-PERMIT							
										CHECK	349349	TOTAL:			870.00
349350	12/19/2018	PRTD	7089 KITSAP SAFETY	227662	15437	11/30/2018		12/23/18	342.26						
Invoice: 15437					342.26	73421355	531100	PW/SENSOR FOR G450 WIN COLL-SUPPLIES							
										CHECK	349350	TOTAL:			342.26
349351	12/19/2018	PRTD	5011 LEXISNEXIS RISK SOLU	227710	1272084-20181130	11/30/2018	21800010	12/23/18	54.50						
Invoice: 1272084-20181130					54.50	52011212	549100	POL/INFORMATION SERVICES PD-C/E-INV-DUES/SUBSCR/MEMBRSH							
										CHECK	349351	TOTAL:			54.50
349352	12/19/2018	PRTD	5262 LIDEN LAND DEV & EXC	227711	PAYREQ6-782	11/01/2018	21800076	12/23/18	9,997.70						
Invoice: PAYREQ6-782					9,997.70	72423434	66300000782	VILLAGE PUMP STATION REPLACE VILLAGE PUMP STATION-CONSTR							
										CHECK	349352	TOTAL:			9,997.70
349353	12/19/2018	PRTD	7038 MOON SECURITY SERVIC	227637	955559	11/30/2018		12/23/18	982.00						
Invoice: 955559					982.00	21011232	545000	CRT/HOUSE ARREST MONITORING NOV18 COURT-ELECT HOME DET'N-EQ RENT							
										CHECK	349353	TOTAL:			982.00
349354	12/19/2018	PRTD	8545 MUTT MITT	227663	254456	12/04/2018		12/23/18	1,469.53						
Invoice: 254456					1,175.63	73011768	531100	PW/DOG POOP BAGS O&M-C/E-PARKS-SUPPLIES							
					293.90	73011189	531100	O&M - C/E FACIL OFC SUPPLIES							

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
								CHECK 349354 TOTAL:	1,469.53
349355	12/19/2018	PRTD	1069 NAT'L ASSOC FOR COUR	227638	163022-2019	11/28/2018		12/23/18	135.00
Invoice: 163022-2019						CRT/2019 MEMBERSHIP DUES - TH			
				135.00	21011125 549100	COURT-DUES/SUBSCR/MEMBERSHIPS			
								CHECK 349355 TOTAL:	135.00
349356	12/19/2018	PRTD	8581 NEOGOV	227805	INV26103	11/26/2018		12/23/18	7,039.82
Invoice: INV26103						IT/HR-EMPLOYEE PERFORMANCE MODULE			
				7,039.82	81011881 548500	IT - C/E COMPUTER SUPPORT			
								CHECK 349356 TOTAL:	7,039.82
349357	12/19/2018	PRTD	2430 OGDEN MURPHY WALLACE	227716	819232	12/04/2018		12/23/18	5,073.87
Invoice: 819232						LEGAL/LEGAL SVC NOV 18			
				2,243.80	32470152 54111100844	LIT-CLARK ADMIN APPEAL			
				60.00	32011152 54111100926	LIT-KC REALTORS-SUP CT			
				660.00	32011152 54111100935	LIT-KC REALTORS-GMHB			
				150.00	32011152 5411110	LGL-GF-LEGAL ADVICE			
				1,140.00	91011211 5411110	GG-C/E-CIVIL SVC-LEGAL ADVICE			
				60.00	32470152 54111000711	SMP LEGAL ADVICE			
				760.07	32470152 54111100897	LIT-PRESERVE RESP SHORELINE			
								CHECK 349357 TOTAL:	5,073.87
349358	12/19/2018	PRTD	4111 OLYMPIC SPRINGS INC	227717	313951	11/30/2018		12/23/18	62.84
Invoice: 313951						POL/PURIFIED WATER			
				62.84	51011215 531100	POLICE - C/E FACIL SUPPLIES			
								CHECK 349358 TOTAL:	62.84
349359	12/19/2018	PRTD	7925 OMNIPARK, INC	227718	112122	12/03/2018	21800006	12/23/18	379.32
Invoice: 112122						POL/PARKING SYSTEM SUPPORT			
				379.32	51011215 548500	POLICE - C/E FACIL COMP MAINT			
								CHECK 349359 TOTAL:	379.32
349360	12/19/2018	PRTD	8286 SUPERINTENDENT OF P	227712	14645	12/05/2018		12/23/18	43.00
Invoice: 14645						POL/FINGERPRINTING			
				43.00	65438 386100	AGENCY - CONCEAL WEAPON PERMIT			
				227713	14601	11/30/2018		12/23/18	86.00
Invoice: 14601						POL/FINGERPRINTING			
				86.00	65438 386110	AGENCY-FINGERPRINT REV TO SPI			

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CASH ACCOUNT: 635		111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE				
						INVOICE DTL DESC			
Invoice: 14619						227714 14619	11/30/2018	12/23/18	86.00
						86.00 65438 386110	POL/FINGERPRINTING		
							AGENCY-FINGERPRINT REV TO SPI		
Invoice: 14622						227715 14622	11/30/2018	12/23/18	43.00
						43.00 65438 386110	POL/FINGERPRINTING		
							AGENCY-FINGERPRINT REV TO SPI		
							CHECK	349360 TOTAL:	258.00
349361	12/19/2018	PRTD	4129 OWEN EQUIPMENT COMPA	227719	00091477	12/05/2018		12/23/18	295.97
Invoice: 00091477						295.97 73421355 531100	PW/FORWARD JET NOZ		
							WIN COLL-SUPPLIES		
Invoice: 00091338						227720 00091338	11/21/2018	12/23/18	359.06
						359.06 73637941 531100	PW/RELIEF VALVE, BALL VALVE		
							VACTOR R&M-SUPPLIES		
							CHECK	349361 TOTAL:	655.03
349362	12/19/2018	PRTD	1808 PACIFIC COAST CONGRE	227722	2012272	12/01/2018		12/23/18	265.00
Invoice: 2012272						265.00 55011757 549100	POL/MEMBERSHIP: ALLEN		
							PD-HARBORMASTER-DUES & SUBCR		
							CHECK	349362 TOTAL:	265.00
349363	12/19/2018	PRTD	7803 PINTO, MICHELLE	227639	359	12/04/2018		12/23/18	360.00
Invoice: 359						360.00 21011125 541230	CRT/INTERPRETER SVC AUG - NOV 18		
							COURT - INTERPRETER		
							CHECK	349363 TOTAL:	360.00
349364	12/19/2018	PRTD	6939 PROFORCE LAW ENFORCE	227723	361701	11/19/2018		12/23/18	1,860.64
Invoice: 361701						167.46 51011211 531100	POL/TASER CARTRIDGES		
						269.49 52011212 531100	PD-C/E-ADM-SUPPLIES		
						1,423.69 53011212 531100	POLICE - C/E INVEST SUPPLIES		
							PD-C/E-PATROL SUPPLIES		
							CHECK	349364 TOTAL:	1,860.64
349365	12/19/2018	PRTD	1205 PUGET SOUND ENERGY	227791	9932NOV18	12/07/2018		12/23/18	10.42
Invoice: 9932NOV18						10.42 91011739 547100	184 WINSLOW WAY E		
							COMM EVENTS-ELECTRICITY		
Invoice: 3319NOV18						227792 3319NOV18	12/07/2018	12/23/18	20.03
						20.03 73416345 547100	PW/CASEY ST WATER METER		
							CASEY STREET WTR-ELECTRICITY		

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CASH ACCOUNT: 635			111100	CASH											
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET						
INVOICE DTL DESC															

										CHECK	349365 TOTAL:	30.45			
349366	12/19/2018	PRTD	7187 RANDOLPH BAUER	227724	1813107	12/06/2018		12/23/18	90.00						
Invoice: 1813107				90.00	73011768 545000	PW/ 1 @ CRESOTE		O&M-C/E-PARKS-OP LEASES							
										227725	1813108	12/06/2018	12/23/18	90.00	
Invoice: 1813108				90.00	73435838 545000	PW/1 @ NE VINCENT		O&M-DECANT-RENTS							
										227726	1813105	12/06/2018	12/23/18	180.00	
Invoice: 1813105				180.00	73011768 545000	PW/2 @ EAGLE HARBOR DR		O&M-C/E-PARKS-OP LEASES							
										227727	1813106	12/06/2018	12/23/18	90.00	
Invoice: 1813106				90.00	73011897 545000	PW/1 @ HIDDEN COVE		O&M-C/E-PWYD FAC-RENTS							
										CHECK	349366 TOTAL:	450.00			
349367	12/19/2018	PRTD	8745 RELIABLE STORAGE BAI	227728	30015	12/10/2018	21800004	12/23/18	299.00						
Invoice: 30015				299.00	53011212 545000	POL/STORAGE UNIT RENTAL J28		POLICE - C/E PATROL RENTS							
										CHECK	349367 TOTAL:	299.00			
349368	12/19/2018	PRTD	9103 RJ LEE GROUP, INC.	227729	349683	12/04/2018		12/23/18	1,212.98						
Invoice: 349683				1,212.98	52011212 541100	POL/I18-001120 TEST FOR GSR X4		POLICE - C/E INVEST PROF SVCS							
										CHECK	349368 TOTAL:	1,212.98			
349369	12/19/2018	PRTD	7173 SKILLINGS CONNOLLY I	227794	11541	12/04/2018		12/23/18	16,892.42						
Invoice: 11541				16,892.42	72321953 64110000715	ENG/SPORTSMAN CLUB & NEW BROOKLYN		SP CLUB/NB INTERSECTN-DESIGN							
										227796	11529	12/03/2018	216000086	12/23/18	1,383.25
Invoice: 11529				1,383.25	72334562 64110000800	ENG/MILLER RD TOLO-PETERSON HILL		C40-MILLER RD-ENG/DESIGN							
										CHECK	349369 TOTAL:	18,275.67			
349370	12/19/2018	PRTD	8129 SMARSH INC	227806	INV00435566	11/30/2018		12/23/18	619.00						
Invoice: INV00435566				619.00	81011881 548500	IT/TEXT & SOCIAL MEDIA ARCHIVE NOV18		IT - C/E COMPUTER SUPPORT							

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CASH ACCOUNT: 635			111100	CASH			INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE						
INVOICE DTL DESC											
									CHECK	349370 TOTAL:	619.00
349371	12/19/2018	PRTD	8855 SOUND LAW CENTER	227641	2184	12/04/2018	12/23/18	5,092.50			
Invoice: 2184				LEGAL/PROFESSIONAL SVC							
				5,092.50	32470152	54111400997	HEX-OLSEN RUEX (PLN 51183RUE)				
									CHECK	349371 TOTAL:	5,092.50
349372	12/19/2018	PRTD	8132 SPECTRA LABORATORIES	227735	18-09300	12/07/2018	12/23/18	42.32			
Invoice: 18-09300				PW/ECOLI TESTING WINWTR							
				42.32	73411345	54110000391	LAB SVCS-WATER				
Invoice: 18-09299				227736	18-09299	12/07/2018	12/23/18	21.16			
				PW/ECOLI TESTING PW							
				21.16	73011897	54110000391	LAB SVCS-PWY FAC				
Invoice: 18-09298				227738	18-09298	12/07/2018	12/23/18	21.16			
				PW/ECOLI TESTING ROCKAWAY BEACH							
				21.16	73415345	54110000391	LAB SVCS-WATER ROCKAWAY				
Invoice: 18-09102				227739	18-09102	11/29/2018	12/23/18	84.64			
				PW/ECOLI TESTING WINWTR							
				84.64	73411345	54110000391	LAB SVCS-WATER				
Invoice: 18-09070				227740	18-09070	11/29/2018	12/23/18	3,464.00			
				PW/TESTING - NPDES							
				3,464.00	73425358	54110000391	LAB & TESTING SVCS-WWTP				
									CHECK	349372 TOTAL:	3,633.28
349373	12/19/2018	PRTD	2467 STAPLES	227730	3398206794	12/01/2018	12/23/18	67.63			
Invoice: 3398206794				PCD/STAPLES, PENCIL CUP, PUSH PINS							
				67.63	61011581	531100	PCD - C/E ADMIN SUPPLIES				
Invoice: 3398206793				227731	3398206793	12/01/2018	12/23/18	218.32			
				PCD/PAPER, FACIAL TISSUES, PAPER TOWELS							
				218.32	61011581	531100	PCD - C/E ADMIN SUPPLIES				
Invoice: 3398206791				227732	3398206791	12/01/2018	12/23/18	88.63			
				PCD/AVERY LABELS, NOTEPAD, COPY PAPER							
				88.63	61011581	531100	PCD - C/E ADMIN SUPPLIES				
Invoice: 3398206851				227733	3398206851	12/01/2018	12/23/18	45.99			
				POL/DESK ADDING MACHINE							
				45.99	51011211	531100	PD-C/E-ADM-SUPPLIES				
Invoice: 3398206749				227734	3398206749	12/01/2018	12/23/18	293.01			
				PW/OFFICE SUPPLIES							
				293.01	73637891	531100	OFFICE SUPPLIES				

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

			227797	3398206712		12/01/2018	12/23/18	-18.52
Invoice: 3398206712					ENG/ITEM RETURNED			
			-18.52	72011321 531100	ENG - C/E ADMIN SUPPLIES			
			227798	3398206714		12/01/2018	12/23/18	8.84
Invoice: 3398206714					ENG/DESK SIGN			
			8.84	72011321 531100	ENG - C/E ADMIN SUPPLIES			
			227799	3398206715		12/01/2018	12/23/18	24.97
Invoice: 3398206715					ENG/STAPLER			
			24.97	72011321 531100	ENG - C/E ADMIN SUPPLIES			
			227800	3398206716		12/01/2018	12/23/18	16.34
Invoice: 3398206716					ENG/OFFICE SUPPLIES			
			16.34	72011321 531100	ENG - C/E ADMIN SUPPLIES			
			227801	3398206717		12/01/2018	12/23/18	17.32
Invoice: 3398206717					ENG/OFFICE SUPPLY			
			17.32	72011321 531100	ENG - C/E ADMIN SUPPLIES			
			227809	3398206677		12/01/2018	12/23/18	366.26
Invoice: 3398206677					EXCC,EX,FIN/OFFICE SUPPLIES			
			16.01	36011143 531100	CLERK-C/E SUPPLIES			
			173.14	31011131 531100	EX-GF-SUPPLIES			
			177.11	41011141 531100	FIN - C/E ADMIN SUPPLIES			
			227810	3398206675		12/01/2018	12/23/18	78.96
Invoice: 3398206675					EX,FIN/OFFICE SUPPLIES			
			39.48	31011131 531100	EX-GF-SUPPLIES			
			39.48	41011141 531100	FIN - C/E ADMIN SUPPLIES			
					CHECK	349373	TOTAL:	1,207.75
349374 12/19/2018 PRTD	2122 STERICYCLE INC		227743	3004497477		11/30/2018 21800007	12/23/18	10.36
Invoice: 3004497477					POL/BIOHAZARD DISPOSAL			
			10.36	51011211 541100	PD-C/E-ADM-PROF SVCS			
					CHECK	349374	TOTAL:	10.36
349375 12/19/2018 PRTD	8244 SUPPLYWORKS		227664	466444668		11/15/2018	12/23/18	1,358.07
Invoice: 466444668					PW/CLEANING SUPPLIES			
			1,358.07	73637948 531100	O&M ALLOC-CITY WIDE SUPPLIES			
					CHECK	349375	TOTAL:	1,358.07
349376 12/19/2018 PRTD	4819 THOMSON REUTERS - WE		227744	839381941		12/01/2018	12/23/18	531.60
Invoice: 839381941					LEGAL/INFO SVC NOV18			
			531.60	32011152 549100	LGL-GF-DUES & SUBSCRIPTIONS			

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CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
CHECK 349376 TOTAL:									531.60
349377	12/19/2018	PRTD	6714 TOSHIBA FINANCIAL SE	227745	23825741	12/03/2018		12/23/18	273.60
Invoice: 23825741						PCD/E-STUDIO4555C COPIER LEASE			
				273.60	61470581 545000	PCD - DEV ADMIN RENTS & LEASES			
CHECK 349377 TOTAL:									273.60
349378	12/19/2018	PRTD	8183 JOHN A. GREEN	227746	15353	11/26/2018		12/23/18	76.41
Invoice: 15353						POL/VEH 235 REPLACE MARKINGS			
				76.41	53011212 531100	PD-C/E-PATROL SUPPLIES			
CHECK 349378 TOTAL:									76.41
349379	12/19/2018	PRTD	4929 TYLER TECHNOLOGIES I	227807	045-245358	12/03/2018		12/23/18	150.00
Invoice: 045-245358						FIN/FORMS			
				150.00	41011141 541100	FIN - C/E ADMIN PROF SERVICES			
CHECK 349379 TOTAL:									150.00
349380	12/19/2018	PRTD	1152 USA BLUE BOOK	227747	750448	11/30/2018		12/23/18	326.47
Invoice: 750448						PW/REPAIR KIT, BACK PRESSURE VALVE			
				326.47	73411345 531100	OFFICE SUPPLIES			
				227748	748267	11/28/2018		12/23/18	224.11
Invoice: 748267						PW/PIPE LOCATOR, CANVAS CASE			
				224.11	73431835 531100	OFFICE SUPPLIES			
				227749	746312	11/27/2018		12/23/18	74.61
Invoice: 746312						PW/SUPPLIES			
				74.61	73425358 531100	O&M-WWTP-SUPPLIES			
CHECK 349380 TOTAL:									625.19
349381	12/19/2018	PRTD	7420 WA ST DEPT OF ENTERP	227642	71125131	11/27/2018		12/23/18	180.00
Invoice: 71125131						PCD/WA-STATE ASSERTIVE COMMUNICATION TRAINING			
				180.00	63011586 443410	CUR - C/E TRAINING TRAVEL			
CHECK 349381 TOTAL:									180.00
349382	12/19/2018	PRTD	4104 WA ST FERRIES	227607	RK321676	11/30/2018		12/23/18	278.65
Invoice: RK321676						NOV 18 WAVE2GO FERRY CHARGES			
				104.85	21011125 543100	COURT - TRAVEL EXPENSE			
				25.50	61011581 543100	PCD - C/E ADMIN TRAVEL EXPENSE			
				47.70	72011321 543100	ENG - C/E ADMIN TRAVEL EXPENSE			

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CASH ACCOUNT: 635			111100	CASH															
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET										
										INVOICE DTL DESC									
										100.60	73011189	543100	O&M-FAC-TRAVEL/MEALS/LODGING						
												CHECK	349382	TOTAL:		278.65			
349383	12/19/2018	PRTD	952 WASHINGTON STATE PAT	227608	I19003649	12/05/2018		12/23/18	144.00										
Invoice: I19003649						FIN/NOV 18 BACKGROUND CHECKS													
										144.00	41654861	586100	AGENCY DISBURSEMENTS						
												CHECK	349383	TOTAL:		144.00			
349384	12/19/2018	PRTD	512 WABO - WASHINGTON AS	227751	WABO2019-BH	12/01/2018		12/23/18	95.00										
Invoice: WABO2019-BH						PCD/2019 MEMBERSHIP RENEWAL - HOLMES													
										95.00	62471591	549100	BLDG - BLDG DUES/SUBSCRIPTIONS						
										227752	WABO2019-GH			12/01/2018	12/23/18	45.00			
Invoice: WABO2019-GH						PW/2019 MEMBERSHIP RENEWAL - HIATT													
										45.00	62471591	549100	BLDG - BLDG DUES/SUBSCRIPTIONS						
												CHECK	349384	TOTAL:		140.00			
349385	12/19/2018	PRTD	499 WESTBAY AUTO PARTS I	227666	410169	11/20/2018		12/23/18	5.30										
Invoice: 410169						PW/HEADLIGHT BULB													
										5.30	73638935	531100	O&M-STD ALLOCATION-SUPPLIES						
										227667	407168			11/07/2018	12/23/18	163.28			
Invoice: 407168						PW/INVENTORY WIPER BLADES													
										163.28	990	141100	MERCHANDISE						
												CHECK	349385	TOTAL:		168.58			
349386	12/19/2018	PRTD	7175 WINERY ALLIANCE OF B	227755	Q3-2018	12/07/2018		12/23/18	2,799.25										
Invoice: Q3-2018						Q3 2018 LTAC: WINE ON THE ROCK													
										2,799.25	91140573	541100	GG-TOUR-PROF SERVICES						
												CHECK	349386	TOTAL:		2,799.25			
349387	12/19/2018	PRTD	2607 ZEE MEDICAL SERVICE	227609	68369031	12/06/2018		12/23/18	55.90										
Invoice: 68369031						FIN/C.H. FIRST AID RESTOCK													
										55.90	41011189	531100	FIN - C/E CNTL SV SUPPLIES						
										227668	68369026			12/06/2018	12/23/18	78.41			
Invoice: 68369026						PW/FIRST AID RESTOCK													
										78.41	73637891	531100	OFFICE SUPPLIES						
										227669	68369036			12/06/2018	12/23/18	86.57			
Invoice: 68369036						PW/WWTP - FIRST AID RESTOCK													
										86.57	73637891	531100	OFFICE SUPPLIES						

CASH ACCOUNT: 635111100CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

Invoice: 68369033

227670	68369033					12/06/2018		12/23/18	136.17
						PW/SEN CTR - FIRST AID RESTOCK			
136.17	73011755	531100				O&M-COMMONS SUPPLIES			

CHECK349387TOTAL:

357.05

NUMBER OF CHECKS78

*** CASH ACCOUNT TOTAL ***

171,060.42

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	78	171,060.42

*** GRAND TOTAL ***

171,060.42

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
2018 12	253								
APP 401-213000						ACCOUNTS PAYABLE		2,453.85	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100						CASH			171,060.42
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000						ACCOUNTS PAYABLE		1,561.67	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 101-213000						STREETS - ACCOUNTS PAYABLE		13,099.34	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 001-213000						GENERAL - ACCOUNTS PAYABLE		101,077.01	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 301-213000						ACCOUNTS PAYABLE		19,297.12	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 650-213000						ACCOUNTS PAYABLE		1,018.00	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 631-213000						ACCOUNTS PAYABLE		3,382.94	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000						ACCOUNTS PAYABLE		15,182.73	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 407-213000						ACCOUNTS PAYABLE		11,025.23	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 901-213000						ACCOUNTS PAYABLE		163.28	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
APP 104-213000						CIVIC IMPR - ACCOUNTS PAYABLE		2,799.25	
12/19/2018	12/23/18	122318				AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								171,060.42	171,060.42
APP 631-130000						DUE TO/FROM CLEARING		167,677.48	
12/19/2018	12/23/18	122318							
APP 401-130000						DUE TO/FROM CLEARING			2,453.85
12/19/2018	12/23/18	122318							
APP 403-130000						DUE TO/FROM CLEARING			1,561.67
12/19/2018	12/23/18	122318							
APP 101-130000						STREETS - DUE TO/FROM CLEARING			13,099.34
12/19/2018	12/23/18	122318							
APP 001-130000						GENERAL - DUE TO/FROM CLEARING			101,077.01
12/19/2018	12/23/18	122318							
APP 301-130000						DUE TO/FROM CLEARING			19,297.12
12/19/2018	12/23/18	122318							
APP 650-130000						DUE TO/FROM CLEARING			1,018.00
12/19/2018	12/23/18	122318							
APP 402-130000						DUE TO/FROM CLEARING			15,182.73
12/19/2018	12/23/18	122318							
APP 407-130000						DUE TO/FROM CLEARING			11,025.23
12/19/2018	12/23/18	122318							
APP 901-130000						DUE TO/FROM CLEARING			163.28

YEAR PER	JNL					ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT						LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3					
12/19/2018	12/23/18	122318							
APP 104-130000						CIVIC IMPR DUE TO/FROM CLEAR'G			2,799.25
12/19/2018	12/23/18	122318							
SYSTEM GENERATED ENTRIES TOTAL								167,677.48	167,677.48
JOURNAL 2018/12/253 TOTAL								338,737.90	338,737.90

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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	DEBIT	CREDIT
ACCOUNT			ACCOUNT DESCRIPTION		
001 GENERAL FUND	2018 12	253	12/19/2018		
001-130000			GENERAL - DUE TO/FROM CLEARING		101,077.01
001-213000			GENERAL - ACCOUNTS PAYABLE	101,077.01	
			FUND TOTAL	101,077.01	101,077.01
101 STREET FUND	2018 12	253	12/19/2018		
101-130000			STREETS - DUE TO/FROM CLEARING		13,099.34
101-213000			STREETS - ACCOUNTS PAYABLE	13,099.34	
			FUND TOTAL	13,099.34	13,099.34
104 CIVIC IMPROVEMENT FUND	2018 12	253	12/19/2018		
104-130000			CIVIC IMPR DUE TO/FROM CLEAR'G		2,799.25
104-213000			CIVIC IMPR - ACCOUNTS PAYABLE	2,799.25	
			FUND TOTAL	2,799.25	2,799.25
301 CAPITAL CONSTRUCTION FUND	2018 12	253	12/19/2018		
301-130000			DUE TO/FROM CLEARING		19,297.12
301-213000			ACCOUNTS PAYABLE	19,297.12	
			FUND TOTAL	19,297.12	19,297.12
401 WATER OPERATING FUND	2018 12	253	12/19/2018		
401-130000			DUE TO/FROM CLEARING		2,453.85
401-213000			ACCOUNTS PAYABLE	2,453.85	
			FUND TOTAL	2,453.85	2,453.85
402 SEWER OPERATING FUND	2018 12	253	12/19/2018		
402-130000			DUE TO/FROM CLEARING		15,182.73
402-213000			ACCOUNTS PAYABLE	15,182.73	
			FUND TOTAL	15,182.73	15,182.73
403 STORM & SURFACE WATER FUND	2018 12	253	12/19/2018		
403-130000			DUE TO/FROM CLEARING		1,561.67
403-213000			ACCOUNTS PAYABLE	1,561.67	
			FUND TOTAL	1,561.67	1,561.67
407 BUILDING & DEVELOPMENT FUND	2018 12	253	12/19/2018		
407-130000			DUE TO/FROM CLEARING		11,025.23
407-213000			ACCOUNTS PAYABLE	11,025.23	
			FUND TOTAL	11,025.23	11,025.23
631 CLEARING FUND	2018 12	253	12/19/2018		

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
631-130000				DUE TO/FROM CLEARING	167,677.48	
631-213000				ACCOUNTS PAYABLE	3,382.94	
635-111100				CASH		171,060.42
				FUND TOTAL	171,060.42	171,060.42
650 AGENCY FUND	2018 12	253	12/19/2018			
650-130000				DUE TO/FROM CLEARING		1,018.00
650-213000				ACCOUNTS PAYABLE	1,018.00	
				FUND TOTAL	1,018.00	1,018.00
901 CITY-WIDE REPORTING FUND	2018 12	253	12/19/2018			
901-130000				DUE TO/FROM CLEARING		163.28
901-213000				ACCOUNTS PAYABLE	163.28	
				FUND TOTAL	163.28	163.28

FUND	DUE TO	DUE FROM
001 GENERAL FUND		101,077.01
101 STREET FUND		13,099.34
104 CIVIC IMPROVEMENT FUND		2,799.25
301 CAPITAL CONSTRUCTION FUND		19,297.12
401 WATER OPERATING FUND		2,453.85
402 SEWER OPERATING FUND		15,182.73
403 STORM & SURFACE WATER FUND		1,561.67
407 BUILDING & DEVELOPMENT FUND		11,025.23
631 CLEARING FUND	167,677.48	
650 AGENCY FUND		1,018.00
901 CITY-WIDE REPORTING FUND		163.28
TOTAL	167,677.48	167,677.48

** END OF REPORT - Generated by Khammy Wahaus **

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12/19/18

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CASH ACCOUNT: 635 111100 CASH			VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE VENDOR NAME			INVOICE DTL DESC			
349388	12/19/2018	PRTD 7994 PENINSULA SERVICES	227768	87670	11/30/2018		12/23/16	64.00
		Invoice: 87670			CRT/MOBILE SHREDDING SVCS			
			64.00	21011125 541100	COURT - PROFESSIONAL SERVICES			
					CHECK	349388	TOTAL:	64.00
349389	12/19/2018	PRTD 8991 ALLIANCE 2020, INC	227757	566109	11/30/2018		12/23/16	128.54
		Invoice: 566109			HR/BACKGROUND CHECKS			
			128.54	33011161 541100	HR-C/E-PROF SVCS			
					CHECK	349389	TOTAL:	128.54
349390	12/19/2018	PRTD 8491 CHUCKALS, INC.	227769	971451-0	12/07/2018		12/23/16	210.44
		Invoice: 971451-0			CRT/FILE BOX, POSTER, TONER			
			210.44	21011125 531100	COURT - SUPPLIES			
			227770	971451-1	12/07/2018		12/23/16	43.48
		Invoice: 971451-1			CRT/FILE BOX			
			43.48	21011125 531100	COURT - SUPPLIES			
					CHECK	349390	TOTAL:	253.92
349391	12/19/2018	PRTD 4513 WASTE MANAGEMENT	227774	0048567-2588-4	12/01/2018		12/23/16	13,588.20
		Invoice: 0048567-2588-4			PW/2018 SPOILS DISPOSAL			
			13,588.20	73435838 54790000618	DECANT SPOILS DISPOSAL			
					CHECK	349391	TOTAL:	13,588.20
349392	12/19/2018	PRTD 8111 COMMUNITY SOLAR SOLU	227767	DEC18	12/03/2018		12/23/16	198.96
		Invoice: DEC18			DEC 2018 SOLAR NET METERING			
			198.96	91011189 54500000627	CH SOLAR-NET METERING PYMTS			
					CHECK	349392	TOTAL:	198.96
349393	12/19/2018	PRTD 8564 WILLIAM E COOPER	227758	12-18	12/01/2018		12/23/16	134.00
		Invoice: 12-18			LEOFF 1 REIMBURSEMENT DEC 18			
			134.00	91029211 521500	POLICE - INS ADD MEDICAL COSTS			
					CHECK	349393	TOTAL:	134.00
349394	12/19/2018	PRTD 7510 EXPERIAN	227766	CD1908001967	11/30/2018	21800001	12/23/16	92.65
		Invoice: CD1908001967			POL/INFORMATION SERVICES			
			92.65	52011212 549100	PD-C/E-INV-DUES/SUBSCR/MEMBRSH			

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CASH ACCOUNT: 635			111100	CASH		VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME								
INVOICE DTL DESC											
								CHECK	349394	TOTAL:	92.65
349395	12/19/2018	PRTD	1971 KELLEY IMAGING SYSTE	227771	23882086		12/12/2018		12/23/16		239.26
Invoice: 23882086							PCD/E-STUDIO4555C COPIER LEASE				
				239.26	61011581	531100		PCD - C/E ADMIN SUPPLIES			
				227772	IN468225		12/07/2018		12/23/16		60.96
Invoice: IN468225							CRT/COLVER OVERAGE CHARGES				
				60.96	21011125	545000		COURT - RENTS & LEASES - OPER			
								CHECK	349395	TOTAL:	300.22
349396	12/19/2018	PRTD	4271 JOHN SUTTON	227759	11/09/18		11/09/2018		12/23/16		405.00
Invoice: 11/09/18							LEOFF 1 REIMBURSEMENT				
				405.00	91029211	521500		POLICE - INS ADD MEDICAL COSTS			
								CHECK	349396	TOTAL:	405.00
349397	12/19/2018	PRTD	1970 TOSHIBA AMERICA BUSI	227773	23882085		12/12/2018		12/23/16		353.16
Invoice: 23882085							PCD/E-STUDIO6560C COPIER LEASE				
				353.16	61011581	531100		PCD - C/E ADMIN SUPPLIES			
								CHECK	349397	TOTAL:	353.16
349398	12/19/2018	PRTD	2064 WEST SOUND WORKFORCE	227765	37982		12/03/2018		12/23/16		1,189.92
Invoice: 37982							FIN/TEMP HIRE HRS - K.WAHAUS				
				1,189.92	41011141	515000		FIN - C/E ADMIN SALARY TEMP			
								CHECK	349398	TOTAL:	1,189.92
349399	12/19/2018	PRTD	499 WESTBAY AUTO PARTS I	227760	410274		11/20/2018		12/23/16		35.82
Invoice: 410274							PW/SHOP SUPPLIES				
				35.82	73638935	531100		O&M-STD ALLOCATION-SUPPLIES			
				227761	414150		12/07/2018		12/23/16		9.22
Invoice: 414150							PW/OIL FILTER VEH 231				
				9.22	73011321	531100		O&M-C/E-ENG VEH WORK-SUPPLIES			
				227762	414200		12/07/2018		12/23/16		6.76
Invoice: 414200							PW/SHOP SUPPLIES				
				6.76	73425358	531100		O&M-WWTP-SUPPLIES			
				227763	413856		12/06/2018		12/23/16		106.73
Invoice: 413856							PW/SHOP SUPPLIES				
				106.73	73638935	531100		O&M-STD ALLOCATION-SUPPLIES			
				227764	413543		12/05/2018		12/23/16		106.73

CASH ACCOUNT: 635 111100 CASH

CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN NET

INVOICE DTL DESC									
Invoice: 413543				PW/SHOP SUPPLIES					
				O&M-STD ALLOCATION-SUPPLIES					
				106.73	73638935	531100			

CHECK 349399 TOTAL: 265.26

NUMBER OF CHECKS 12 *** CASH ACCOUNT TOTAL *** 16,973.83

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	12	16,973.83

*** GRAND TOTAL *** 16,973.83

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JOURNAL ENTRIES TO BE CREATED

CLERK: fintemp

YEAR PER	JNL				ACCOUNT DESC	T OB	DEBIT	CREDIT
SRC ACCOUNT					LINE DESC			
EFF DATE	JNL DESC	REF 1	REF 2	REF 3				
2018 12	262							
APP 001-213000					GENERAL - ACCOUNTS PAYABLE		3,129.59	
12/19/2018	12/23/16	122316			AP CASH DISBURSEMENTS JOURNAL			
APP 635-111100					CASH			16,973.83
12/19/2018	12/23/16	122316			AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000					ACCOUNTS PAYABLE		13,588.20	
12/19/2018	12/23/16	122316			AP CASH DISBURSEMENTS JOURNAL			
APP 631-213000					ACCOUNTS PAYABLE		249.28	
12/19/2018	12/23/16	122316			AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000					ACCOUNTS PAYABLE		6.76	
12/19/2018	12/23/16	122316			AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL							16,973.83	16,973.83
APP 631-130000					DUE TO/FROM CLEARING		16,724.55	
12/19/2018	12/23/16	122316						
APP 001-130000					GENERAL - DUE TO/FROM CLEARING			3,129.59
12/19/2018	12/23/16	122316						
APP 403-130000					DUE TO/FROM CLEARING			13,588.20
12/19/2018	12/23/16	122316						
APP 402-130000					DUE TO/FROM CLEARING			6.76
12/19/2018	12/23/16	122316						
SYSTEM GENERATED ENTRIES TOTAL							16,724.55	16,724.55
JOURNAL 2018/12/262 TOTAL							33,698.38	33,698.38

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CITY OF BAINBRIDGE ISLAND
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JOURNAL ENTRIES TO BE CREATED

FUND	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT						
001 GENERAL FUND	2018 12	262	12/19/2018			
001-130000				GENERAL - DUE TO/FROM CLEARING		3,129.59
001-213000				GENERAL - ACCOUNTS PAYABLE	3,129.59	
				FUND TOTAL	3,129.59	3,129.59
402 SEWER OPERATING FUND	2018 12	262	12/19/2018			
402-130000				DUE TO/FROM CLEARING		6.76
402-213000				ACCOUNTS PAYABLE	6.76	
				FUND TOTAL	6.76	6.76
403 STORM & SURFACE WATER FUND	2018 12	262	12/19/2018			
403-130000				DUE TO/FROM CLEARING		13,588.20
403-213000				ACCOUNTS PAYABLE	13,588.20	
				FUND TOTAL	13,588.20	13,588.20
631 CLEARING FUND	2018 12	262	12/19/2018			
631-130000				DUE TO/FROM CLEARING	16,724.55	
631-213000				ACCOUNTS PAYABLE	249.28	
635-111100				CASH		16,973.83
				FUND TOTAL	16,973.83	16,973.83

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		3,129.59
402	SEWER OPERATING FUND		6.76
403	STORM & SURFACE WATER FUND		13,588.20
631	CLEARING FUND	16,724.55	
TOTAL		16,724.55	16,724.55

** END OF REPORT - Generated by Khammy Wahaus **

PAYROLL

PAYROLL CHECK RUN: 12 - 20 - 2018

Run Type	Run Date	Check # Sequence	Comments	Amount
Normal	12/20/2018	043504 - 043628	P/R check run - direct deposit	307,027.51
Normal	12/20/2018	108789 - 108790	P/R check run - regular	4,076.32
Vendor	12/20/2018	108791 - 108800	P/R vendor check run	122,981.96
EFTPS	12/20/2018		Federal Tax Electronic Transfer	113,410.96
			TOTAL:	547,496.75

Prepared and Reviewed by:


Deborah Lee

Date

12-19-18

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Bainbridge Island, and that I am authorized to authenticate and certify to said claim.


Kimberly M. Dunscombe, Budget Manager

Date

12/19/18



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME:

AGENDA ITEM: Special City Council Study Session Minutes, December 4, 2018

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION:

Approve with Consent Agenda.

SUMMARY:

Consider approval of meeting minutes.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[CCMIN 120418 SPECIAL STUDY SESSION](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



SPECIAL CITY COUNCIL STUDY SESSION
TUESDAY, DECEMBER 4, 2018

MEETING MINUTES

1) [CALL TO ORDER/ROLL CALL](#)

Deputy Mayor Deets called the meeting to order at 5:00 p.m. in Council Chambers.

Mayor Medina, Deputy Mayor Deets, and Councilmembers Blossom, Peltier, Nassar, Tirman, and Schneider were present.

2) [APPROVAL OF AGENDA/CONFLICT OF INTEREST DISCLOSURE](#)

Councilmember Peltier moved and Councilmember Nassar seconded to approve the agenda as presented. The motion was approved by unanimous consent. There were no conflicts of interest disclosed.

3) [MAYOR'S REPORT](#)

Mayor Medina noted the January meeting schedule, a request from a representative of the homeowner associations abutting the Suzuki property to have an opportunity to attend a Council meeting and provide their input on the project, a letter regarding 100% clean electricity for Washington, and referral of topic of greenhouse gas scoring on City projects to the Climate Change Advisory Committee.

4) [PRESENTATIONS](#)

4.A Washington State Ferries Update - Mayor Medina
[Cover Page](#)

Deputy Mayor Deets introduced the agenda item.

Ray Deardorf, Washington State Ferries Senior Planning Manager, provided an update on the 2040 Long Range Plan.

Matt Von Ruden, Director of Vessel Engineering & Maintenance, provided a presentation on converting vessels to electric power.

Nicole McIntosh, Director of Terminal Engineering, provided a presentation on the overhead walkway replacement.

4.B Update from ECONorthwest and Forterra on Inclusionary Zoning/Transfer of Development Rights Analysis - Planning
[Cover Page](#)

November 28, 2018 Bainbridge Island Development Analysis Summary Memo
December 4, 2018 IZ/TDR Development Analysis Presentation

Morgan Shook and Erik Rundell from ECONorthwest, and Nick Bratton from Forterra provided a presentation on transfer of development right programs and affordable housing options.

Council discussed the topic with the consultants and directed them to look at strategic options 2, 3, and 4, as identified in their presentation, and come back with specific proposals.

5) UNFINISHED BUSINESS

5.A Update on Moratorium - Planning

Cover Page

20181204 Moratorium work program status report

Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf

Development Moratorium Summary Effective 20181121.pdf

Planning Director Christensen provided an update on the moratorium.

5.B Ordinance No. 2018-20, Relating to Revisions to BIMC Title 2 related to Land Use Review Approval Bodies and Procedures - Planning

Cover Page

Ordinance No. 2018-20 (12-11-18 Public Hearing Draft)

Review Procedures for Major Projects - flow chart.pdf

Ordinance 2018-20 Exhibit A -- General Procedures.docx

Ordinance 2018-20 Exhibit B -- Site Plan and Design Review.rtf

Ordinance 2018-20 Exhibit C -- Short Subdivisions.rtf

Ordinance 2018-20 Exhibit D -- Large Lot Subdivisions.rtf

Ordinance 2018-20 Exhibit E -- Conditional Use Permits.rtf

Ordinance 2018-20 Exhibit F -- Long Subdivisions.rtf

Senior Planner Carr addressed Council's questions on the revisions to BIMC Title 2 related to land use review approval bodies and procedures.

Mayor Medina provided suggested changes. Council discussed the ordinance and whether the regulations should apply to 2-lot subdivisions.

City Manager Smith provided information on a new process for citizens to request Code revisions.

6) NEW BUSINESS

6.A Ordinance No. 2018-47, Updating System Participation Fees for Water and Sewer Utilities - Public Works

Cover Page

Ordinance No. 2018-47 - Updating Sewer & Water Participation Fees

BI SPF Update - Final.pdf

UAC SPF Recommendation.pdf

Public Works Director Loveless introduced John Ghilarducci and Steve Gonzalez from FCS Group who provided a presentation on updating participation fees for water and sewer utilities.

MOTION: I move to forward further consideration of Ordinance No. 2018-47 to the December 11, 2018 Unfinished Business Agenda.

Tirman/Nassar: The motion carried unanimously.

6.B Transportation Benefit District Fee Increase - Finance

[Cover Page](#)

[TBD_Discussion_Transmittal_for_CC_12042018 \(9\).docx](#)

[Resolution No. 2018-33 Approving an Increase to Vehicle License Fee](#)

Interim Accounting Manager Logghe introduced the resolution to increase the Transportation Benefit District Fee.

MOTION: I move to forward to the Consent Agenda for approval at the December 11, 2018 Council meeting Resolution No. 2018-33 whereby the additional revenues would further support traffic calming measures and mass transit options to further reduce climate change on the Island.

Tirman/Blossom: The motion was withdrawn.

MOTION: I move to forward to a future business meeting Resolution No. 2018-33 to consider an increase in the transportation benefit district fee.

Tirman/Nassar: The motion carried 6 – 1.

AYES: Sarah Blossom, Rasham Nassar, Matt Tirman, Joe Deets, Leslie Schneider, Kol Medina

NOES: Ron Peltier

ABSENT: None

ABSTAIN: None

Council agreed to discuss the resolution further at the next City Council meeting.

6.C Solar Access Regulations - Deputy Mayor Deets

[Cover Page](#)

[COBI Solar Access Presentation](#)

[City of Ashland Solar Setback Guide](#)

[City of Boulder Solar Access Guide](#)

Deputy Mayor Deets provided a presentation on solar access regulations, and Council discussed the topic.

7) CITY COUNCIL DISCUSSION

7.A Discussion on Diversity and Racial Equity - Councilmember Tirman

[Cover Page](#)

[Race Equity Ad Hoc Committee Formation Request](#)

Councilmember Tirman introduced the agenda item. Erin Phillips, Karen Vargus, and Sal DeRosalia joined Council for the discussion.

City Manager Smith provided information on the topic from a management standpoint and provided information on the City's hiring practices.

MOTION: I move that we create the Ad Hoc Committee for Race Equity, as detailed in the committee request form in front of us, and that the Councilmembers on the committee will be Councilmembers Tirman, Nassar, and Deets.

Medina/Tirman: Mayor Medina withdrew his motion following discussion.

MOTION: Mayor Medina moved to create the race equity task force that will include Councilmembers Tirman, Nassar, and Deets and 7 community members to be chosen through an open application process and to have as its purpose providing advice to the City Council on matters of identifying programmatic community and legislative options to ensure that Bainbridge Island lives up to its commitment to be an open and welcoming community for all and that will sunset by July 1, 2019.

Medina/Nassar: The motion carried unanimously, 7-0.

City Manager Smith noted next steps for the formation of the task force.

7.B Formation of Council Ad Hoc Committee for the Suzuki Project - Councilmember Tirman

[Cover Page](#)

[Suzuki Ad Hoc Committee Formation Request](#)

City Manager Smith provided information on forming the committee and recommended next steps.

MOTION: I move to approve the formation of a Council Ad Hoc Committee for the Suzuki project in accordance with the Council Ad Hoc Committee Request form.

Tirman/Nassar: The motion carried unanimously, 7-0.

7.C Formation of Council Ad Hoc Committee for Affordable Housing - Councilmember Blossom

[Cover Page](#)

[Council Ad Hoc Committee Request Form - Affordable Housing](#)

MOTION: I move to authorize the formation of a City Council ad hoc committee on affordable housing in accordance with the Council Ad Hoc Committee Formation Request.

Blossom/Nassar: The motion carried unanimously, 7-0.

8) FUTURE COUNCIL AGENDAS

8.A Future Council Agendas

[Cover Page](#)

[City Council Regular Business Meeting 121118](#)

City Manager Smith reviewed the upcoming December 11, 2018 agenda.

Councilmember Peltier requested a discussion on the process for evaluating climate impacts of City projects, conditional use approvals, and Priority Based Budgeting. City Manager Smith provided information on next steps for Priority Based Budgeting.

9) FOR THE GOOD OF THE ORDER

Council agreed to cancel the last two meetings in December and the January 1, 2019 meeting.

Mayor Medina updated Council on Kitsap Public Facilities District's projects and approval of a Port of Bremerton interlocal agreement.

Mayor Medina proposed that Councilmember Schneider join Deputy Mayor Deets as a liaison to the Multi-Modal Transportation Committee.

MOTION: I move to include Councilmember Schneider as a liaison to the Multi-Modal Transportation Committee.

Deets/Tirman: The motion carried unanimously, 7-0.

10) ADJOURNMENT

Deputy Mayor Deets adjourned the meeting at 9:40 p.m.

Kol Medina, Mayor

Christine Brown, City Clerk



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME:

AGENDA ITEM: City Council Regular Business Meeting Minutes, December 11, 2018

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION:

Approve with Consent Agenda.

SUMMARY:

Consider approval of meeting minutes.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[CCMIN 121118 BUSINESS](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, DECEMBER 11, 2018

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Medina called the meeting to order at 6:01 p.m. in Council Chambers.

Mayor Medina, Deputy Mayor Deets, and Councilmembers Blossom, Peltier, Nassar, Tirman and Schneider were present.

2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(b), to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

Cover Page

2.B Pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

Cover Page

Mayor Medina adjourned the meeting to an executive session at 6:01 p.m. pursuant to RCW 42.30.110(1)(b) and (i). Council returned from executive session at 6:32 p.m., and Mayor Medina reconvened the meeting at 6:35 p.m.

3) PLEDGE OF ALLEGIANCE / APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Councilmember Tirman requested the addition of a discussion on next steps for Kitsap Public Facilities District (KFPD), and the Mayor added it to the agenda as item 9F.

Councilmember Nassar moved and Deputy Mayor Deets seconded to approve the agenda as amended. The motion was approved by unanimous consent.

Mayor Medina noted that he has a conflict of interest with the KFPD item and will recuse himself from the discussion.

4) PUBLIC COMMENT

Cindy Anderson spoke about the Public Safety Committee.

Ginger Vaughan spoke on behalf of Kitsap Pride on the Tyler Moniz project and the need for support for LGBTQ youth.

Barry Malone spoke about his concerns with Coffee Oasis.

Steve Walker spoke in favor of Coffee Oasis.

Derek Villanueva spoke in favor of the Tyler Moniz project and expressed concerns about Coffee Oasis.

Debra Lester spoke in favor the Tyler Moniz/Coffee Oasis project and provided background information.

Gloria Saylor spoke in favor of the resolution increasing car tab fees and supported examination of gaps in services for youth.

Ed Kushner spoke about his concerns in Eagle Harbor.

Liz Bracken spoke in favor of the Tyler Moniz project.

Eve Palay spoke about welcoming LGBTQ youth in any program.

Hanna Nodsle spoke in favor of the Tyler Moniz/Coffee Oasis project.

Kathleen Weyand spoke about her concerns with Coffee Oasis.

Maurie Lewis spoke in favor of Coffee Oasis.

Elizabeth Engstrom spoke in favor of Coffee Oasis.

5) MAYOR'S REPORT

Mayor Medina provided an update on the Harrison site and highlighted the year's accomplishments.

6) CITY MANAGER'S REPORT

City Manager Smith noted upcoming City Hall holiday closures.

7) PUBLIC HEARING(S)

7.A Ordinance No. 2018-45, Extending the Duration of and Amending the Interim Official Control Related to the Preservation of Landmark Trees - Planning

Cover Page

20181211 CC Staff Memo

Attachment I - 20181127 PH DRAFT Ordinance No 2018-45 Extending Landmark Tree

Ordinance + work plan and staff changes

20181127 PH DRAFT Ordinance No 2018-45 Extending Landmark Tree Ordinance + work plan

Exhibit A - LTO Work Program (120718)

Chapter 16.32 BIMC, Preservation of Landmark Trees

Senior Planner Sutton introduced the agenda item.

Mayor Medina opened the public hearing at 7:35 p.m.

Public Comment

Katy Bigelow commented on recommended improvements to the ordinance.

Mayor Medina closed the public hearing at 7:38 p.m.

AMENDED MOTION: I move to approve the version of Ordinance No. 2018-45 as shown in Attachment I to this agenda item, which is based on the public hearing draft and includes revisions based on staff recommendations from public comment, as well as other revisions as adopted by the Council related to tonight's public hearing, if any, and to include the revision suggested by the City Attorney.

Peltier/Nassar: Motion carried 4 – 3.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Leslie Schneider

NOES: Sarah Blossom, Matt Tirman, Kol Medina

ABSENT: None

ABSTAIN: None

7.B Ordinance No. 2018-20 Relating to Revisions to BIMC Title 2 related to Land Use Review and Approval Bodies and Procedures - Planning

Cover Page

Ordinance No. 2018-20 - 12-11-18 Public Hearing Draft.docx

Flow Chart for Council Meeting.pdf

Ordinance 2018-20 Exhibit A -- General Procedures.docx

Ordinance 2018-20 Exhibit B -- Site plans and design review.rtf

Ordinance 2018-20 Exhibit C -- Short Subdivisions.rtf

Ordinance 2018-20 Exhibit D -- Large Lot Subdivisions.rtf

Ordinance 2018-20 Exhibit E -- Conditional Use Permits.rtf

Ordinance 2018-20 Exhibit F -- Long Subdivisions.rtf

Mayor Medina opened the public hearing at 7:53 p.m. There was no public comment. Mayor Medina closed the public hearing at 7:54 p.m.

MOTION: Councilmember Blossom proposed that the ordinance be amended so that the division or redivision of land into two lots shall not be required to comply with BIMC 2.16.070.D.1, Conceptual Proposal Review meeting, and BIMC 2.16.070.D.2, the Design Guidance Review meeting

Blossom/Nassar: The motion carried 5-2.

AYES: Sarah Blossom, Joe Deets, Kol Medina, Leslie Schneider, Matt Tirman

NOES: Rasham Nassar, Ron Peltier

ABSENT: None

ABSTAIN: None

MOTION: I move to approve Ordinance No. 2018-20 relating to Revisions to BIMC Title 2 related to Land Use Review and Approval Bodies and Procedures, as amended.

Tirman/Deets: The motion carried unanimously, 7-0.

8) UNFINISHED BUSINESS

8.A Ordinance No. 2018-47, Updating System Participation Fees for Water and Sewer Utilities - Public Works

Cover Page

Ordinance No. 2018-47 - Updating Sewer and Water Participation Fees

UAC SPF Recommendation

BI SPF Update

Public Works Director Loveless introduced the agenda item.

MOTION: I move to approve Ordinance No. 2018-47.

Tirman/Nassar: The motion was approved by unanimous consent.

8.B Amendments to the Shoreline Master Program (SMP) Relating to Integration of Critical Areas Regulations and Nonconforming Structures, Uses, and Lots - Planning

Cover Page

20181211 CC Staff Memo SMP Amendment

20181211 Nonconforming Policy Checklist.pdf

20181211 Draft SMP Amendment -- Critical Areas and Nonconforming -- Public Hearing Draft --

All track changes -- ARPA deleted.docx

20181211 Public Comment Summary by Date.docx

Mayor Medina introduced the agenda item.

Public Comment

Steve Bonkowski spoke about his concerns with the amendment.

Michael Zigich spoke in favor of the Planning Commission's recommendations.

Bill Chester, Chair of the Planning Commission, commented on the commission's reasoning on accessory structures.

MOTION: I move to limit the expansion of non-conforming structures to include up to 250 square feet of the footprint for the structure for single-family primary structures.

Tirman/Peltier: Motion failed 2 – 5.

AYES: Ron Peltier, Matt Tirman

NOES: Sarah Blossom, Rasham Nassar, Joe Deets, Leslie Schneider, Kol Medina

ABSENT: None

ABSTAIN: None

MOTION: I move to direct staff to come back with a revised ordinance that goes back to treating essential accessory structures differently from non-essential accessory structures.

Blossom/Nassar: The motion was approved unanimously, 7-0.

Planning Director Christensen noted that staff will return with a resolution rather than an ordinance.

Mayor Medina adjourned the meeting for a break at 8:45 p.m. Mayor Medina reconvened the meeting at 8:53 p.m.

8.C Discussion of Funding Request from Tyler Moniz Project - Mayor Medina

[Cover Page](#)

[TheTylerMoniz.CoffeeOasis.CrisisTextLine](#)

Mayor Medina introduced the agenda item, and Council discussed the topic.

Public Comment

Linda Semlitz thanked Council for addressing the topic.

Dr. Jillian Worth, Bainbridge Youth Services representative, commented on the structure for addressing the issue.

Councilmember Nassar moved and Councilmember Blossom seconded to direct the City Manager to look into hiring a facilitator to facilitate a meeting of organizations that specialize in teen mental health and suicide issues on the Island.

There was consensus to direct the City Manager to identify potential facilitators for Council's review and then the facilitator selected by Council would develop a scope of work by reaching out to the community and bring that scope of work back for Council review.

8.D Use of Transportation Benefit Fund Fee Increase - Finance

[Cover Page](#)

[Resolution 2018-38 Financial Policies for CC 12112018](#)

Interim Accounting Manager Logghe introduced the topic.

MOTION: I move to forward Resolution 2018-38, Updating the City's Financial Policies, for consideration of approval at the January 8, 2019, Council meeting.

Nassar/Schneider: The motion was approved by unanimous consent.

Council directed staff to put Councilmember Tirman's proposal on the use of the increased fees into a resolution.

9) NEW BUSINESS

9.A Resolution 2018-36 Amending the City's Fee Schedule to Add a New Fee for Applications for "Legislative Review of Development Regulations" and to otherwise clarify the Fee Schedule related to rezones - Planning

[Cover Page](#)

[Resolution No. 2018-36 Amending Fee Schedule-Legislative Review of Development Regulations](#)

Planning Director Christensen introduced the agenda item.

MOTION: I move to approve Resolution No. 2018-36.

Peltier/Nassar: The motion was approved by unanimous consent.

9.B Appointment of Deputy Mayor for January 2019 through June 30, 2019 - Mayor Medina
Cover Page

Deputy Mayor Deets nominated Leslie Schneider to serve as Deputy Mayor for January 2019 through June 30, 2019. Councilmember Nassar seconded the nomination. The nomination was approved unanimously, 7-0.

9.C Appointments to the Climate Change Advisory Committee, Ethics Board, and Marine Access Committee - Mayor Medina

Cover Page

Climate Change Advisory Committee - Cox (Redacted)

Ethics Board - DeRosalia (Redacted)

Ethics Board - Eckmann (Redacted)

Ethics Board - Fong (Redacted)

Ethics Board - Neal (Redacted)

Marine Access Committee - Goussev (Redacted)

Marine Access Committee - Herring (Redacted)

Marine Access Committee - Hershberg (Redacted)

Marine Access Committee - Kerby (Redacted)

Marine Access Committee - Seubert (Redacted)

MOTION: I move to appoint the following individuals to the following committees: Michael Cox (Climate Change Advisory Committee, Position 1 through June 2021); Suzanne Keel-Eckmann (Ethics Board, Position 4 through June 2021); and Terry Kirby (Marine Access Committee, Position 1 through June 2020.)

Nassar/Peltier: The motion was approved by unanimous consent.

9.D Ordinance No. 2018-46, Creating a Uniform Process for the Removal and Resignation of Members of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen Advisory Committees - Mayor Medina

Cover Page

Ordinance No 2018-46, Creating a Uniform Process for the Removal and Resignation of Members of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen Advisory Committees

Mayor Medina introduced the agenda item.

MOTION: I move to forward Ordinance No. 2018-46 for approval with the January 8, 2019 Consent Agenda, and to authorize the City Clerk to renumber the ordinance, as needed, for 2019.

Nassar/Peltier: The motion was approved unanimously, 7-0.

9.E First Amendment to the Agreement with Kitsap County for the Incarceration of City Prisoners - Police

Cover Page

First Amendment to the Kitsap County/City of Bainbridge Island Agreement for Incarceration of City Prisoners

Kitsap County/City of Bainbridge Island Agreement for Incarceration of City Prisoners (Expires 12/31/18)

MOTION: I move to approve the First Amendment to the Agreement with Kitsap County for the Incarceration of City Prisoners.

Blossom/Nassar: The motion was approved by unanimous consent.

9.F Kitsap Public Facilities District

Mayor Medina recused himself from the discussion. The agenda topic was withdrawn by Councilmember Tirman.

10) CONSENT AGENDA

10.A Agenda Bill for Consent Agenda

[Cover Page](#)

10.B Accounts Payable and Payroll

[Cover Page](#)

[Report to Council of Cash Disbursements 12-12-18.pdf](#)

[Payroll.pdf](#)

Accounts Payable: last check number 349197 from previous run = \$587.37; manual check number sequence 349198 – 349204 = \$392,821.37; regular check number sequence 349205 – 349294 = \$392,945.28. ACH sequence 322 – 325 = \$1,794,998.34. Total disbursement = \$2,580,764.99.

Payroll: normal direct deposit check sequence 043381 – 043503 for \$287,811.04; normal payroll check sequence 108772 – 108774 for \$6,895.36; vendor check run sequence 108775 – 108788 for \$304,210.32; Federal Tax Electronic Funds Transfer for \$108,416.55. Total disbursement = \$707,333.27.

10.C Special City Council Meeting Minutes, November 17, 2018

[Cover Page](#)

[CCMIN 111718 COUNCIL RETREAT](#)

10.D City Council Study Session Meeting Minutes, November 20, 2018

[Cover Page](#)

[CCMIN 112018 STUDY SESSION](#)

10.E Regular City Council Business Meeting Minutes, November 27, 2018

[Cover Page](#)

[CCMIN 112718 BUSINESS](#)

10.F Human Services Funding Advisory Committee (HSFAC) 2019-20 Award Recommendations – Executive

[Cover Page](#)

[HSFAC Recommendation for 2019-20](#)

10.G Lodging Tax Advisory Committee (LTAC) 2019 Funding Recommendations - Executive

[Cover Page](#)

[2019 LTAC Funding Recommendations](#)

10.H Amendment No. 1 to the Professional Services Agreement with Aspect Consulting, LLC. Related to Water Rights - Public Works

[Cover Page](#)

[Amendment No 1 to the PSA with Aspect Consulting, LLC, Related to the Evaluation of Water Rights](#)

Professional Services Agreement with Aspect Consulting, LLC, Related to the Evaluation of Water Rights
Aspect Consulting's Phase I Findings and Recommendations

10.I Ordinance No. 2018-44 Relating to 2018 4th Quarter Budget Amendments - Finance

Cover Page

ORD 2018-44 2018 4th QTR Budget Adjustments

Ord 2018- Attachment A - Q3 and 4 Budget Amendments (First Reading).pdf

10.J Amendment No. 1 to the Contract for Indigent Defense Services, Extending the Term Through December 31, 2019 - Executive

Cover Page

Amendment No 1 to the Contract for Indigent Defense Services

Contract for Indigent Defense Services

Resolution No. 2014-14, Adopting Public Defense Standards

MOTION: I move to approve the Consent Agenda, as presented.

Nassar/Deets: The motion was approved by unanimous consent.

11) COMMITTEE REPORTS

11.A Committee Reports

Cover Page

Ethics Board Minutes - October 15, 2018

Councilmember Peltier reported on last night's Marine Access Committee workshop on the Dave Ullin Open Water Marina.

Deputy Mayor Deets reported on the SR305 Working Group.

12) FOR THE GOOD OF THE ORDER

Councilmember Nassar noted that Olympic Property Group is sharing Suzuki site plan options ahead of Council review and asked for Council to review the options first.

City Manager Smith reviewed the draft agenda for the retreat.

Council discussed public comment protocol. City Manager Smith will bring back the Chamber rules used by a previous Council.

13) ADJOURNMENT

Mayor Medina adjourned the meeting at 10:25 p.m.

Kol Medina, Mayor

Christine Brown, City Clerk



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Ordinance No. 2019-01 (Formerly Ordinance No. 2018-46), Creating a Uniform Process for the Removal and Resignation of Members of Citizen Advisory Committees as well as for the Demotion of the Chairs of Citizen Advisory Committees - Mayor Medina,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Ordinance

PROPOSED BY: Executive

RECOMMENDED MOTION:

Approve with Consent Agenda.

SUMMARY:

As proposed, Ordinance No. 2018-46 would amend Title 2 of the Bainbridge Island Municipal Code to create a uniform process governing the removal and resignation of members of the City's citizen advisory boards, commissions, committees, and task forces, as well as a uniform process for the demotion of a chair of one of the City's citizen advisory boards, commissions, committees, or task forces.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

The City Council has previously created various citizen advisory boards, commissions, committees, and task forces to provide recommendations to the City Council and to perform other functions for the City. However, the City Code does not contain a uniform approach governing removals or resignations of members of such citizen advisory bodies or demotions of the chairs of such citizen advisory bodies.

Ordinance No. 2018-46 proposes to adopt a uniform process for removals, resignations, and demotions that would govern, with a few exceptions listed below, all members of the City's citizen advisory boards, commissions, committees, and task forces. The exceptions are as follows:

First, the proposed uniform process for removal would not apply to members of the following committees due to likely conflicts with state law or with the City Code:

- The Ethics Board, created under Chapter 2.07 BIMC;
- The Civil Service Commission, created under Chapter 2.28 BIMC;
- The LEOFF Disability Board, created under Chapter 2.45 BIMC;
- The Salary Commission, created under Chapter 2.74 BIMC; and
- The Lodging Tax Advisory Committee, created under BIMC 3.65.040.

Second, the proposed uniform process for demotion of chairs of committees would not apply to the chairs of the following committees due to likely conflicts with state law or with the City Code:

- The Civil Service Commission, created under Chapter 2.28 BIMC;
- The Cultural Funding Advisory Committee, created under Chapter 2.43 BIMC;
- The LEOFF Disability Board, created under Chapter 2.45 BIMC; and
- The Lodging Tax Advisory Committee, created under BIMC 3.65.040.

ATTACHMENTS:

[Ordinance No. 2019-01 Creating a Uniform Process for the Removal of Members of City Advisory Bodies](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ORDINANCE NO. 2019-01
(Formerly Ordinance No. 2018-46)

AN ORDINANCE of the City of Bainbridge Island, Washington, amending Title 2 of the Bainbridge Island Municipal Code to create a uniform process governing the removal and resignation of members of the City's citizen advisory boards, commissions, committees, and task forces, as well as a uniform process for the demotion of a chair of one of the City's citizen advisory boards, commissions, committees, or task forces.

WHEREAS, the City Council has previously created various citizen advisory boards, commissions, committees, and task forces to provide recommendations to the City Council and perform other functions for the City; and

WHEREAS, the City Council now desires to create a uniform process to govern the removal and resignation of members of the City's citizen advisory boards, commissions, committees, and task forces; and

WHEREAS, the City Council also desires to create a uniform process to govern the demotion of chairs of the City's citizen advisory boards, commissions, committees, or task forces.

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

Section 1. A new Chapter 2.01, General Procedures for Citizen Advisory Bodies, is added to Title 2 of the Bainbridge Island Municipal Code, to read as follows:

Chapter 2.01 General Procedures for Citizen Advisory Committees

2.01.010 Applicability of Chapter

- A. The provisions of this chapter apply to each citizen advisory board, commission, committee, or task force created by the city council, except as otherwise provided by this chapter or where in conflict with state law.
- B. For purposes of this chapter, the terms "board," "commission," "committee," and "task force" have identical meanings and shall collectively be referred to as a "committee."

2.01.020 Grounds for Removal of Members of Citizen Advisory Committees

- A. The mayor may remove a member of a citizen advisory committee for one or more of the following reasons:

1. Good cause, which shall be as determined solely by the mayor and shall be stated with each removal action.
 2. A confirmed appointee to a citizen advisory committee fails to qualify and assume the duties of a member of the committee within 30 calendar days of confirmation by the city council.
 3. A member of a citizen advisory committee is absent from three consecutive regular meetings of the citizen advisory committee and such absences have not been excused by a majority vote of the citizen advisory committee.
 4. A member of a citizen advisory committee is absent from fifty percent (50%) of all meetings of the citizen advisory committee in any six-month period, provided that a member of a citizen advisory committee may request a leave of absence, which must first be approved by the mayor.
 5. A member of a citizen advisory committee ceases to have the qualifications prescribed for the members of the committee by state law or by ordinance of the city council.
 6. A member of a citizen advisory committee is convicted of a gross misdemeanor or felony while serving on the committee.
- B. At the next regularly scheduled meeting of the city council following a removal under this section, the mayor shall notify the city council of such removal. A majority of the full city council may reverse the mayor's decision to remove within 30 days of the mayor's notice to the city council of the removal, after which time the mayor's decision to remove is final.
- C. This section shall not apply to members of the following citizen advisory committees: the Ethics Board, created under Chapter 2.07 BIMC; the Civil Service Commission, created under Chapter 2.28 BIMC; the LEOFF Disability Board, created under Chapter 2.45 BIMC; the Salary Commission, created under Chapter 2.74 BIMC; and the Lodging Tax Advisory Committee, created under BIMC 3.65.040.

2.01.030 Grounds for Demotion of Chairs of Citizen Advisory Committees

- A. The mayor may demote the chair of a citizen advisory committee for good cause, which shall be as determined solely by the mayor and shall be stated with each demotion.
- B. At the next regularly scheduled meeting of the city council following a demotion under this section, the mayor shall notify the city council of such demotion. A majority of the full city council may reverse the mayor's decision to demote

within 30 days of the mayor's notice to the city council of the demotion, after which time the mayor's decision to demote is final.

- C. A member of a citizen advisory committee that has been demoted from the position of chair of the committee may continue to serve on the committee for the remainder of his or her term and any future terms that she or he may be eligible to be appointed to.
- D. A member of a citizen advisory committee that has been demoted from the position of chair of the committee may not again serve as chair of the committee without city council approval.
- E. This section shall not apply to the chairs of the following citizen advisory committees: the Civil Service Commission, created under Chapter 2.28 BIMC; the Cultural Funding Advisory Committee, created under Chapter 2.43 BIMC; the LEOFF Disability Board, created under Chapter 2.45 BIMC; and the Lodging Tax Advisory Committee, created under BIMC 3.65.040.

2.01.040 Resignations and Automatic Vacancies

- A. A member of a citizen advisory committee may voluntarily resign from her or his position on the committee by submitting her or his written resignation to the mayor.
- B. A vacancy caused by resignation shall be deemed to occur upon the effective date of the resignation. If no effective date is specified in the resignation, the resignation will be deemed to be effective immediately.
- C. A position on a citizen advisory committee shall automatically become vacant upon the death of the individual appointed to that position.

Section 2. Section 2.14.020.C.3 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

3. The officers of the commission shall consist of a chairperson and a vice chairperson elected by the members of the commission for a one-year term. The election of officers shall take place at the first meeting of the year. In the event of the vacancy of the chair, the chairperson would be replaced by the vice chairperson, and the vice chairperson would be replaced by a vote of the members of the commission. Demotion of the chairperson or vice chairperson shall be governed by Chapter 2.01 BIMC.

Section 3. Section 2.14.020.D of the Bainbridge Island Municipal Code is hereby amended to read as follows:

D. Forfeiture of Office-Removal and Resignation.

1. The removal and resignation of members appointed to the commission shall be governed by Chapter 2.01 BIMC.

~~1. A member appointed to the commission shall forfeit his or her office, creating a vacancy, if he or she ceases to have the qualifications prescribed for such office by law or ordinance, or if he or she is convicted of a gross misdemeanor or felony or a violation of the oath of office.~~

~~2. In the event of a commission member being absent from three consecutive regular meetings, or being absent from 50 percent of all meetings (including committee) in any six-month period, the office shall become vacant and forfeited; provided, that the mayor, with city council approval, may grant an exception when warranted by individual circumstances.~~

~~3. For an extended absence, a commissioner may request a leave of absence, to be approved by the mayor, with city council approval.~~

~~42. Any unexpired term of a vacant or forfeited office shall be filled by a qualified person appointed by the mayor and confirmed by the city council in accordance with the city's appointment cycle.~~

Section 4. Section 2.14.040.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B. Vacancies – Removal. In the event of a vacancy, the mayor, subject to the confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal. Members may be removed upon a majority vote of the city council.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 5. Section 2.14.040.C.1 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

1. The board shall select one member to serve as chair for a one-year term at the first regular meeting of each year. Demotion of the chair shall be governed by Chapter 2.01 BIMC.

Section 6. Section 2.14.060 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

The creation, composition, terms, powers and duties, rules and standards of the historic preservation commission are described in BIMC 18.24.020 and Chapter 2.01 BIMC. In the event of a conflict between BIMC 18.24.020 and Chapter 2.01 BIMC, Chapter 2.01 BIMC shall control.

Section 7. Section 2.14.070 of the Bainbridge Island Municipal Code is hereby repealed in its entirety.

Section 8. Section 2.16.210.E.1 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

E. Subarea Planning Steering Committee.

1. Upon the city council's approval to commence the subarea planning process for a designated center or neighborhood, the mayor, with confirmation by the city council, shall appoint a subarea planning steering committee for that designated center or neighborhood. The steering committee shall be comprised of an odd number of members, totaling no more than nine, with the total number of members to be determined by the city council. The majority of the committee shall be comprised of representatives from categories in subsections E.2.a and E.2.b of this section. The term of the steering committee members shall be until the completion of the subarea planning process under this chapter. The removal and resignation of members shall be governed by Chapter 2.01 BIMC. Demotion of the chairperson shall be governed by Chapter 2.01 BIMC.

Section 9. Section 2.32.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 10. Section 2.32.040.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B. The committee shall select from among its members a chairperson for a one-year term at the first regular meeting of each year. Demotion of the chairperson shall be governed by Chapter 2.01 BIMC.

Section 11. Section 2.33.010.C of the Bainbridge Island Municipal Code is hereby amended to read as follows:

C. A member may be reappointed, and shall hold office until his or her successor has been appointed and has qualified. ~~Members may be removed upon a majority vote of the city council.~~

Section 12. Section 2.33.025 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any committee member from three consecutive meetings shall constitute grounds for removal in accordance with BIMC 2.33.010.C.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 13. Section 2.33.060 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

The committee shall annually elect a chairperson and vice-chairperson. Demotion of the chairperson or vice-chairperson shall be governed by Chapter 2.01 BIMC. The committee shall hold regular meetings at least once during each quarter year. Meetings shall be open to the public and held in accordance with the Open Public Meetings Act (Chapter 42.30 RCW). For meetings consisting of a majority of the then serving voting members of the committee, the committee shall provide public notice of the meeting and shall keep a record of its meeting minutes, resolutions, transactions, findings and determinations. The meeting minutes shall be posted on the city's web site. A majority of the voting members then serving on the committee shall constitute a quorum.

Section 14. Section 2.35.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 15. Section 2.35.040.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

The committee shall select from among its members a chairperson for a one-year term at the first regular meeting of each year. Demotion of the chairperson shall be governed by Chapter 2.01 BIMC.

Section 16. Section 2.36.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 17. Section 2.36.040.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B. The committee shall select from among its members a chairperson for a one-year term at the first regular meeting of each year. Demotion of the chairperson shall be governed by Chapter 2.01 BIMC.

Section 18. Section 2.37.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absences from three consecutive meetings by any member shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 19. Section 2.37.040.C of the Bainbridge Island Municipal Code is hereby amended to read as follows:

C. At the first regular meeting of each term, the committee shall select from among its members a chairperson and a secretary for a one-year term. Demotion of the chairperson or the secretary shall be governed by Chapter 2.01 BIMC.

Section 20. Section 2.41.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 21. Section 2.41.040.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B. The committee shall select from among its members a chairperson at the first regular meeting of each year. Demotion of the chairperson shall be governed by the Chapter 2.01 BIMC.

Section 22. Section 2.43.020 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

~~Members may be removed upon a majority vote of the city council.~~ In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. ~~Unexcused absences by any member from three consecutive meetings shall constitute grounds for removal.~~ The removal and resignation of members shall be governed by Chapter 2.01 BIMC.

Section 23. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 24. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED by the City Council this 8th day of January, 2019.

APPROVED by the Mayor this 8th day of January, 2019

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	December 7, 2018
PASSED BY THE CITY COUNCIL:	January 8, 2019
PUBLISHED:	January 11, 2019
EFFECTIVE DATE:	January 16, 2019
ORDINANCE NO.	2019-01



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: January 8, 2019

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (8:35 PM) Committee Reports,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Report

PROPOSED BY: Executive

RECOMMENDED MOTION:

Information only.

SUMMARY:

Recent committee reports are provided for information only.

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Climate Change Advisory Committee Minutes, October 17, 2018](#)

[Climate Change Advisory Committee Minutes, November 28, 2018](#)

[Environmental Technical Advisory Committee Minutes, November 15, 2018](#)

[Environmental Technical Advisory Committee Minutes, November 19, 2018](#)

[Multi-Modal Transportation Advisory Committee Minutes, October 10, 2018](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 17, 2018
CITY HALL
280 MADISON AVENUE
NORTH
BAINBRIDGE ISLAND, WA 98110

MINUTES

Attending: David McCaughey, Deb Rudnick, Derik Broekhoff, Joe Deets, Lara Hansen, and Gary Lagerloef.

Visiting: Gloria Saylor, Maradel Gale

Meeting called to order at 6:28 PM.

Joe asked to add Solar Access to the Agenda.

Lara moved to approve the July minutes. Seconded by Gary and passed.

Public Comment: No comments.

New Business: Update on GHG emissions inventory: Morgan sent us an update email today, David summarized for the group. Lead Cascadia consultant has left, transitioning to new project lead. Morgan indicated that GHG inventory funds are not in the 2019/2020 budget- but the group all thought we already had this funding allocated. Joe said he will find out why this was not in the 2018 budget because we all thought it was supposed to be underway and substantially completed by 2019. Joe will come back to us. Lara emphasized that it is hard for us to do our work without this piece. Lara will also send Morgan an email to follow up on our question regarding the fund allocation.

Follow up on interviews with GHG inventory: all three went well. Gary, Morgan and 2 other city staff people. None were definitely thumbs down, felt good about all. Might be worth considering a less expensive option if we have budget concerns. Clear consensus that the interview group liked Cascadia best.

GHG emissions reductions commitments: Deb has updated our list of commitments with help from the city clerk. Deb will send this to Roz to have her post the file. Lara mentioned that she is working with another city on having a standing annual recognized climate week to reflect on progress- group thought this was a good idea.

Green Direct Program Service Agreement: PSE pitched their program; the City did not accept it and we have passed that deadline. City and a high proportion of citizens are buying Green Power, \$0.02 premium to buy RECs. David spoke to the Council about the mismatch between green direct and our interest in changing the power mix in what is delivered, and locking us in to a long-term commitment that hems us in for potential future options. Mentioned other possible energy sources such as tRECs that could be available in our future, among others. Leslie and Ron were also in attendance at the meeting David discussed. Lara mentioned Peninsula Power and Light's creation of a local microgrid based on local consumer generation that could be submarketed. There was a discussion and agreement that CCAC needs to look at what our recommendations are for the best path forward for Bainbridge- what is it that we as a community want, and what we need to do in order to meet the commitments we have made as a city. We would want an additive amount put into their mix, not a reshuffling.

Gary asked is there any negotiating point we have that we could ask PSE for more on-island development so that we are not just sending our money off-island.



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 17, 2018
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I-1631: Resolution 2018-27 passed to support the initiative. Lara suggested we could have been asked to help weigh in on the language if there had been time, but we did not and apparently there was not.

Solar Access Ordinance: Discussion introduced by Joe. There is currently no legal right of our current solar systems to be protected from shading from buildings or trees. Without protection, buildings could potentially be built and shade systems.

- There is no innate right to solar on your property.
- Existing conditions prevail.

Feedback from group included:

- This is an equity issue, because when did you manage to put solar on your house.
- What about driving this with building code height?
- What about interference with native vegetation, city considers native vegetation a priority?
- Does this speak to affordable housing issues?
- We need a mix of solar requirements on single family homes on which it makes sense, and community solar where individuals cannot make solar work.
- What does this look like in other places that have implemented this?
- General sense that this is an issue that should be fully fleshed out and intersections with/conflicts with other City priorities made transparent before Council is asked to weigh in on it.

Committee staffing Issues: Angela has resigned. Mike Cox has expressed an interest in returning. Normal reappointments are in May. Joe said they will post and fill this in December.

Lara emphasized that to move forward, given lack of progress on GHG inventory contract, we need to forge ahead and have our subcommittees work on mapping out what their major priorities are for emissions reductions.

Waste subcommittee: No updates.

Transportation: Deb mentioned the email from City staff member C Berg on fleet electrification. The discussion wandered over to the Levy and stayed there for a while.

Electric Generation subcommittee: No updates.

Adaptation subcommittee: Lara went to the WA chapter of American planning association. Lara will put together notes and share out to committee.



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 17, 2018
CITY HALL
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Michelle mentioned attending climate training at the Harvard Kennedy School which she found was excellent; will bring notes and summary to our next meeting.

Next meeting: change of date to November 28, and December 17.

Parking lot for meeting GHG reduction, ideas that were discussed during meeting: School buses-electrification and conversion? Ferry electrification is happening. How do we move towards some of these other options like Microgrids? Emergency resiliency- tying schools into microgrids? Community solar on public land.

Meeting adjourned 7:45 pm.

Co-Chair

11/28/18

Co-Chair

11/28/18



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, NOVEMBER 28, 2018
CITY HALL
280 MADISON AVENUE
NORTH
BAINBRIDGE ISLAND, WA 98110

MINUTES

Present Committee members Derik Broekhoff, Gary Lagerloef, Nora Ferm Nickum, Deborah Rudnick, James Rufo-Hill;
Council Liaison Joe Deets; Deputy City Manager Ellen Schroer

Absent Committee members Lara Hansen, David McCaughey, Michelle McClure

Public Deborah Weinmann, Gloria Sayler, Randal Samstag, Ted Jones, Steve Johnson, Ross Hathaway, Kelsey Hulse,
David Johnson

Call to Order

The meeting was called to order at 7:08 pm.

Approval of Minutes

Minutes from the previous meeting (October 17, 2018) were approved.

Public Comment

David Johnson—who also sent written comments in advance of the meeting—urged the Committee to do a written report to the Council about the Green Direct Program. He said Green Direct does not pose any penalty for self-generation or conservation. He said there is a priority enrollment clause and the City may end up at the bottom of the queue. He does not view coal as related to the Green Direct Program.

Randal Samstag, Island Power, said that there was an IPCC report that emphasizes the urgency of addressing climate change and a National Climate Assessment that dramatically underestimates the projected impacts of climate change. He said he thought Green Direct was a meaningless program for Bainbridge Island and that we need to wake the Council up to the absolute dire emergency of arresting climate change.

Steve Johnson said the PSE franchise agreement is up in 2022. The Committee should engage in the prospect of this franchise renewal, well before it is up. In terms of evaluating the utility, start an annual process in terms of reviewing where they are on price, service/reliability, and climate. He said that next to transportation, the largest source of carbon on the island is from electricity.

Ross Hathaway said the City budget has \$20 million for a new police station and the non-motorized transportation work has been deferred. He said the biggest part of our carbon footprint on the island is our transportation, we need safer roads, and we should send a strong message to Council to reconsider their priorities.

Ted Jones said we should have an open dialogue with Puget Sound Energy well in advance of the time to renew the franchise agreement, ask what their integrated resource plan will do to be positive, and ask them to report on targets.



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, NOVEMBER 28, 2018
CITY HALL
280 MADISON AVENUE
NORTH
BAINBRIDGE ISLAND, WA 98110

Greenhouse Gas Inventory

Morgan Smith, City Manager, and Gary Lagerloef interviewed the consulting firms that responded to the Request for Proposals earlier in the fall and came to a consensus that Cascadia Consulting Group was the top choice.

The greenhouse gas inventory has been funded in the Council budget for 2018.

Andrea Martin, Cascadia Consulting Group's proposed project manager for this project, joined by phone. She has a background in climate science and climate policy, and has been with Cascadia's climate program for 7 years. She has led greenhouse gas inventories for many local governments, including Shoreline, Renton, and King County. She also leads climate action planning projects for cities around the country.

The Deputy City Manager asked the Committee to recommend whether the City should go with the one-year inventory or the two-year inventory option. Andrea explained that doing a two-year inventory would make it possible to do a contribution analysis, which helps to distill and better understand the trends that are driving changes in emissions, eliminating some of the noise and making it easier to identify meaningful actions to reduce emissions. The consultant and the Committee and City would work together to choose the specific two years that would be used. Doing inventories for two different years would not mean the project would take longer.

The Committee recommended to the Council that they move forward with a contribution analysis/two-year inventory, and not include the business-as-usual forecast because it would be mostly redundant with the contribution analysis results.

Derik Broekhoff and Gary Lagerloef volunteered to be the Committee liaisons for the inventory work going forward.

Note: Committee member Nora Nickum abstained from any voting during this discussion due to her prior employment with Cascadia. She had also recused herself from any participation in all prior discussions about the RFP and all of the bidders and proposals.

Climate Mayors Electric Vehicle Purchasing Collaborative

The Committee tabled this discussion until the December meeting.

Puget Sound Energy Green Direct Program

Phase 3 of the Green Direct Program will not come up before 2021. The Committee will still try to do a report to Council on the Green Direct Program soon.

2018-2019 Workplan

The co-chairs will recirculate a draft workplan for Committee review and discussion in January.



CITY OF
BAINBRIDGE ISLAND

CLIMATE CHANGE
ADVISORY COMMITTEE
WEDNESDAY, NOVEMBER 28, 2018
CITY HALL
280 MADISON AVENUE
NORTH
BAINBRIDGE ISLAND, WA 98110

Other Business

Suzuki: A motion was passed by Council to task this Committee with recommending ways to minimize GHG emissions related to development of the Suzuki property for affordable housing. It will be discussed again by Council on January 15. They are still looking for a developer and there has not been a decision about the number of units. The Committee could provide input on the types of questions to ask a potential developer. We could provide other feedback on ways to minimize greenhouse gas emissions once there is a clearer scope for the project.

The next Committee meeting will be on Monday, December 17. Planned agenda topics include the 2018-2019 Workplan, development of a follow-up report on the Green Direct decision, and the Climate Mayors Electric Vehicle Purchasing Collaborative.

Deb Rudnick noted that the Critical Aquifer Recharge Area Guidance comment period is currently open.

The meeting was adjourned at 8:07 pm.

Co-Chair

12/17/18



CITY OF
BAINBRIDGE ISLAND

ENVIRONMENTAL TECHNICAL
ADVISORY COMMITTEE
REGULAR MEETING
THURSDAY, NOVEMBER 15, 2018
3:00 PM – 5:30 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WA 98110

MINUTES

Member Attendees: Karl Shearer, Casey Schmidt, Charlie Kratzer, Melanie Kennan, Juan Rovalo, Jason Flowers, Steve Saepoff, and Dylan Frazer.

COBI Staff: Christian Berg

Council Liaison: Rasham Nassar

The meeting was called to order at 3:09 PM.

The minutes from the 11/01/18 meeting were approved.

Council Liaison Report: There was a long discussion on the most recent Council meeting. Topics included budgeting for the GWMP, and the status of the COBI Water Resources Specialist position.

Chair Report: The chair discussed his activities since the last meeting. The chair discussed his presentation at the Council meeting on November 6th, and a presentation at a UAC meeting. Both meeting included a list of talking points on the GWMP. Lastly, the chair spoke about the activities of the GWMP budget sub-committee.

Christian Berg detailed the surface and groundwater monitoring that is taking place on the island, and shared some results.

The Marks & Maione HMP was discussed. ETAC unanimously approved the response of the HMP sub-committee.

The GWMP budget sub-committee was tasked with writing up a memo describing the staffing needs for the GWMP, and recommendations on the COBI Water Resources Specialist position.

The meeting adjourned at 5:00 PM.

 12/13/18 818
Charlie Kratzer, Chair 12/13/18

For special accommodations, please contact Roz Lassoﬀ,
206-780-8624 or at rlassoff@bainbridgewa.gov



CITY OF
BAINBRIDGE ISLAND

ENVIRONMENTAL TECHNICAL
ADVISORY COMMITTEE
SPECIAL MEETING
MONDAY, NOVEMBER 19, 2018
5:00 PM – 5:30 PM
COUNCIL CONFERENCE ROOM
280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WA 98110

MINUTES

Member Attendees: Casey Schmidt, Charlie Kratzer, Melanie Kennan, Juan Rovalo, and Jason Flowers.

Members Absent: Karl Shearer, Steve Saepoff, and Dylan Frazer

The meeting was called to order at 5:00 PM.

After some discussion, the members present unanimously approved the letter to the Council and authorized the Chair to send the letter on behalf of the committee. The letter provided further support for the GWMP and for re-instatement of the Water Resources Specialist position.

The meeting adjourned at 5:30 PM

 12/13/18
Charlie Kratzer, Chair 12/13/18



CITY OF
BAINBRIDGE ISLAND

MULTI-MODAL TRANSPORTATION
ADVISORY COMMITTEE
REGULAR MEETING
WEDNESDAY, OCTOBER 10, 2018
CITY HALL
280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WA 98110

Minutes

Attendees: Committee members Demi Allen, Lief Horwitz, David Freeburg, Robert Shulock, Shannon Glass, Chris Hammer (City Staff), Councilmember Joe Deets, Fire Chief Hank Teran.

The Committee opened by approving amendments to the minutes of the July and August 2018 meeting, with several corrections from the members.

Public Comment:

Several members of the public expressed concerns regarding intersections on Finch Road NE and Wyatt Way and Sportsman Club Road NE. The commenters were particularly concerned about a history of accidents in this area, including a recent fatality. The committee agreed that these intersections require further study and consideration for additional traffic calming measures.

Engineer Report:

- Chris Hammer provide updates on the Olympic Drive Project, which should soon be ready for bid.
- The City is nearly completed with clearing & grubbing for the Core 40 project on Miller and Fletcher Bay Road.
- The City is holding a public meeting regarding an intersection improvement at Sportsman's Club & New Brooklyn Road on October 18.
- The City has added parking improvements in several areas in Winslow, including Hildebrand and Wyatt Avenues.

Agenda Items:

- Demi Allen led a discussion of the Bainbridge Island Open Streets Festival, soliciting feedback from the Committee. Committee members had positive feedback for the event, including suggestions for future events.
- The Committee discussed public education regarding the City's SAFE Mobility Levy, including several open houses hosted by City Staff and various other outreach efforts.
- The Committee discussed a building proposal at Hildebrand Lane NE, where the City is considering potential alignments for the STO. Committee members discussed possible alternatives, including routing the STO on the west side of the development along Hildebrand Lane NE or on the east side of the development adjacent to 305.


Lief Horwitz, Chair

12/12/18



CITY OF
BAINBRIDGE ISLAND

MULTI-MODAL TRANSPORTATION
ADVISORY COMMITTEE
REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 2018
CITY HALL
280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WA 98110

Minutes

Committee Attendees: Chair Lief Horwitz, Demi Allen (telephonic), David Freeburg, Robert Shulock, Shannon Glass, Don Willott, Chris Hammer (City Staff), and Councilmember Joe Deets (Liaison)

Additional Attendees: Councilmember Sarah Blossom, Councilmember Leslie Schneider, City Manager Morgan Smith, Kristin Drew (City Staff), Mark Epstein (City Staff), Ken DeWitt (Parks Commissioner), Susan Loftus (Bainbridge Mobility Alliance), Loanne Harmeling.

The Committee opened by approving amendments to the minutes of the September 2018 meeting.

Public Comment:

Members of the public expressed concerns about public opinion regarding the recent SAFE levy, along with concerns about amounts devoted to multimodal transportation during the ongoing budget process.

Agenda Items:

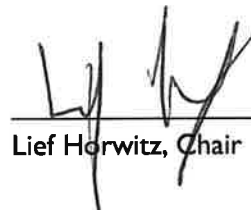
City Manager Morgan Smith provided a summary of transportation items in the CIP, which currently weighs transportation investments toward the years 2021-24, with fewer investments in 2019-20. Manager Smith explained that this discrepancy is driven largely by the timing of grant funds. Attendees discussed ways to increase funding for multi-model transportation projects in the ongoing budgeting process.

Engineer Report:

- Chris Hammer provide updates on the Olympic Drive Project, is nearly ready for bid. The City has completed negotiations with adjacent landowners regarding easements for construction access. Construction should begin in early 2019.
- The City is currently paving shoulders on the Core 40 shoulder improvement project on Miller and Fletcher Bay Road. The project should be done within the next few weeks.
- City Staff held a public meeting regarding a proposed intersection improvement at Sportsman Club & New Brooklyn Road on October 18. The City has developed a visualization regarding the roundabout proposed for this intersection, which received input from committee members.
- Several committee members met with WSDOT staff involved in the SR 305 Corridor Improvement study to discuss multi-modal components of the study.

Agenda Items:

- The Committee discussed responses to election results regarding the City's SAFE Mobility Levy. Committee members and attendees discussed a variety of ways to respond to concerns raised by members of the public.



Lief Horwitz, Chair

12/12/18



CITY OF
BAINBRIDGE ISLAND

UTILITY ADVISORY COMMITTEE
REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 2018
CITY HALL
BAINBRIDGE ISLAND, WA 98110

Minutes

Call to Order / Roll Call / Accept or Modify Agenda / Conflict of Interest Disclosure

Present:

Co-Chairs:	Andy Maron, Jeff Kanter
Members:	Emily Sato, Ted Jones, Nancy Nolan, Steve Johnson, Charles Averill
Council Liaison:	Rasham Nassar
Staff:	Barry Loveless

The meeting was called to order at 5:00 pm.

Acceptance of Minutes from October 24: Unanimously approved after small corrections

- Charlie was not on the facilities tour.
- Under Good of the Order, comment was from Barry not Andy.

Public Comment: Robert Dashiell

- Here to listen to discussion about Ground Water Management Plan tonight.
- Robert presented an alternate analysis of the state of Island ground water which he had also given to the Island Center Subarea Task Force.

Presentation by Charles Kratzer, Chair Environmental Technical Advisory Committee, ETAC:

- And Melanie Keenan, both are hydrogeologists.
- 2 papers presented are posted.
- 5-10 percent of the recharge on the island is currently pumped out.
- Of the studies listed, the USGS model is especially good because it is specifically targeted to BI. A 2014 revision significantly reduced the calculated recharge volume. They had ranged from 15 to 20.5 inches per year. Second Kitsap USGS model says only 11 inches.
- Inflow is about 85 percent rain and 15 percent septic.
- Inflow from deepest aquifer is really old water and is small.
- Aspect's model runs for 100 years to achieve stability. It's not a prediction of where we'll be in 100 years.
- Discussion started about approaching KPUD to co-sponsor a Ground Water Plan.

Proposal to allow green infrastructure for buildings within water and sewer service areas:

- Brought forward by developer of hotel where BBQ was on Winslow Way.
- Proposing not to connect to sewer and manage water on site. Goal is zero footprint, but it also avoids System Participation Fees.
- Barry and Developer are in discussions. May later lead to developer talking to us.



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System Participation Fees Rate Study:

- Group gave Barry a few minor edits to share with Chris Gonzales, so he can go final on the recommendation report.
- Motion was unanimously approved to accept the UAC memo as written.
- Plan is for the City Council to have the memo for meeting on December 4 at 6:00 pm.

For the Good of the Order:

- Council is considering a Storm Water Study; driven by recent Orca stress.
- Led to discussion of "how do we know which system improvement gives the most bang for the buck?" For example is tertiary treatment of sewer effluent going to do more for Puget Sound than further storm water management enhancements?
- Rasham stated the question as "should the CC reserve some money now for Storm Water Studies. The sense of the group is that it's too early. And that ETAC and UAC should be both involved in answering the larger question.

The meeting adjourned 7:45 pm.

Andrew Maron and Jeff Kanter, Co-chairs

12/12/18
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