

RESOLUTION NO. 2017-10

A RESOLUTION of the City Council of Bainbridge Island, Washington, establishing a set of management policies for City-owned tideland property.

WHEREAS, Kitsap County requested to transfer to the City 21 tideland parcels that were not transferred to the City at the time of incorporation; and

WHEREAS, on March 10, 2015, the Bainbridge Island City Council authorized the City Manager to execute 21 quit claim deeds for the transfer of Kitsap County tidelands to the City; and

WHEREAS, the City's ownership of these parcels is desirable because the City is the permitting authority of shoreline activity through the City's Shoreline Master Program (SMP). As a result of the City owning these parcels, the City will not be required to rely on Kitsap County for approval of development activity, where allowed, over the tideland parcels; and

WHEREAS, a set of management policies will provide guidance to City officials, City staff, abutting property owners, and the public more generally regarding the type of development allowed or prohibited on or over City-owned tidelands; and

WHEREAS, the City's Marine Access Committee (MAC) developed a set of general and specific recommendations for management of City-owned tidelands; and

WHEREAS, Department of Planning and Community Development staff provided an analysis of the MAC recommendations based on current SMP policies and regulations, and drafted a proposed set of management policies for City-owned tidelands; and

WHEREAS, staff presented the proposed set of management policies at the January 24, 2017, City Council Business Meeting; and

WHEREAS, the City Council authorized staff to prepare a resolution regarding a policy for City-owned tidelands; now, therefore,

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND DOES RESOLVE AS FOLLOWS:

Section 1. Purpose.

The primary purpose of these management policies for City-owned tidelands is to provide guidance to City staff, City officials, and the general public by specifying the type of uses allowed or prohibited on or over City-owned tidelands. The policies do not authorize the City or abutting landowners to disregard existing policies and regulations in

the SMP; rather, these policies describe the types of uses that the City will allow on City-owned tidelands.

Section 2. Management Policies for City-Owned Tidelands.

City staff will comply the following management policies related to the use of City-owned tidelands:

1. Retain City ownership of all public tidelands to better protect and preserve Bainbridge Island's marine environment and to preserve the tidelands and the waters above them for public use.
2. Not allow commercial aquaculture on public tidelands due to possible long-term effects and impediments to public access.
3. Allow permitted uses on public tidelands that directly abut upland private property in accordance with the City's Shoreline Master Program (SMP) policies and regulations.
4. Allow only the least intrusive overwater use, e.g., a mooring buoy, where public tidelands do not directly abut upland private property.
5. Allow only City or Bainbridge Island Metropolitan Park and Recreation District (BIMPRD)-owned facilities where public tidelands directly abut a City-designated road end or City or BIMPRD upland property.

Section 3. Publication and Implementation.

City staff will take the following steps to publicize and implement the management policies for City-owned tidelands:

1. Announcement/publication via media release, the City's website, and/or the City Manager's Report.
2. Placing the policies on the City's website on the SMP project page and under "Docs, Forms and Applications" and/or other appropriate pages.
3. Maintaining paper copies at the Department of Planning and Community Development counter for distribution to the general public.

PASSED by the City Council this 14th day of March, 2017.

APPROVED by the Mayor this 14th day of March, 2017.

By: 
Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

By: 
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

February 13, 2017
March 14, 2017
2017-10