

**\*\*\*PLANNING COMMISSION PUBLIC HEARING DRAFT\*\*\***

**ORDINANCE NO. 2023-11**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, amending the Future Land Use Map of the Comprehensive Plan and the City Official Zoning Map to change the land use and zoning designation of a property owned by Puget Sound Energy known as the “Winslow Substation”.

**WHEREAS**, the City of Bainbridge Island (City) accepts requests to amend the Comprehensive Plan every three years as described in the Comprehensive Plan Amendment (CPA) process established by Bainbridge Island Municipal Code (BIMC) Chapter 2.16.190; and

**WHEREAS**, 2022 was a CPA application year, and the City received five CPA applications during the January and February 2022 submission window; and

**WHEREAS**, Puget Sound Energy (PSE) submitted three CPA applications, requesting to change the land use designation of each of its three substations from a residential designation to Business/Industrial (B/I) designation on the City's Future Land Use Map; and

**WHEREAS**, PSE submitted corresponding rezone applications to change the zoning designation of each of its three substations from a residential zone to the B/I zone on the City's Official Zoning Map; and

**WHEREAS**, the PSE Winslow substation is located on the north side of Bucklin Hill Road 200 feet east of Fletcher Bay Road, tax parcel no. 4178-000-028-0204 (heretofore called subject property) and PSE has submitted a consolidated CPA and Rezone application for this substation, City Permit File PLN52149 REZ/CPA; and

**WHEREAS**, the subject property is currently designated Residential-0.4 and R-0.4 on the City's Future Land Use Map and Official Zoning Map, respectively; and

**WHEREAS**, City staff have analyzed the consolidated CPA and Rezone application for this substation, including the CPA and Site-specific Rezone decision criteria in BIMC 2.16.190 and 2.16.140, respectively, and is recommending approval of the application to the Planning Commission; and

**WHEREAS**, the Planning Commission considered the application and the staff recommendation and at a study session on October 13, 2022; and

**WHEREAS**, the City issued a State Environmental Policy Act (SEPA) Determination of Nonsignificance on October 20, 2022; and

**WHEREAS**, the SEPA threshold determination was appealed on November 2, 2022; and

**WHEREAS**, a settlement agreement fully and completely resolving the claims of petitioner in the appeal was executed on February 13, 2023; and

**WHEREAS**, the petitioner filed a motion with the Hearing Examiner to dismiss the SEPA appeal on February 28, 2023; and

**WHEREAS**, the SEPA appeal was dismissed on \_\_\_\_\_, 2023; and

**WHEREAS**, the Planning Commission held a public hearing on Ordinance No. 2023-11 on March 23, 2023, and after closing the public hearing, made a recommendation of \_\_\_\_\_ to the City Council; and

**WHEREAS**, notice proposing adoption of amendments to Comprehensive Plan and development regulations was issued on March 10, 2023, to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

**WHEREAS**, on \_\_\_\_\_, 2023, the City Council considered Ordinance No. 2023-11; and

**WHEREAS**, on \_\_\_\_\_, 2023, the City Council adopted Ordinance No. 2023-11.

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

**Section 1.** The City Council finds that the PSE Winslow CPA and Rezone applications, permit numbers PLN52149 REZ/CPA, are in conformance with the Comprehensive Plan, the CPA and Site-specific Rezone decision criteria, and all applicable state laws in effect at the time of approval.

**Section 2.** The Future Land Use Map of the Comprehensive Plan is hereby amended to change the lands use designation of the subject property from Residential-0.4 to Business/Industrial as shown on Exhibit A.

**Section 3.** The City's Official Zoning Map is hereby amended to change the zoning designation of the subject property from R-0.4 to Business/Industrial as shown on Exhibit B.

**Section 4.** This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

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Brenda Fantroy-Johnson, Mayor

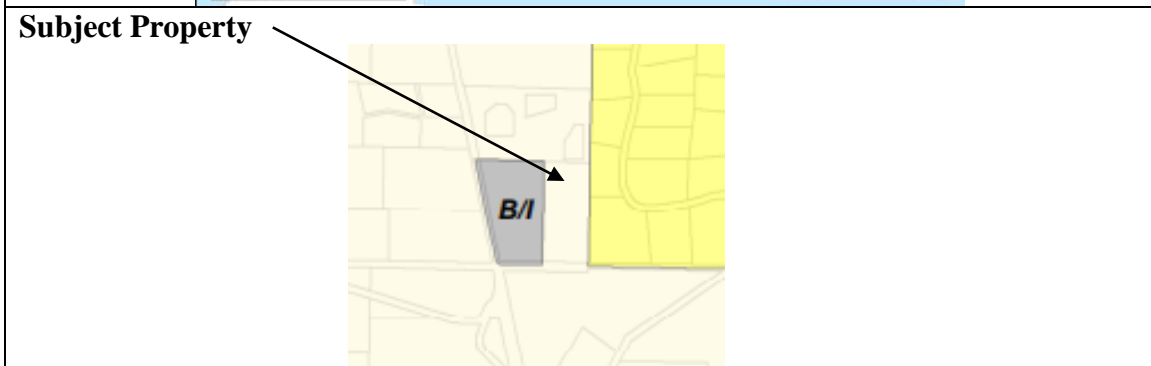
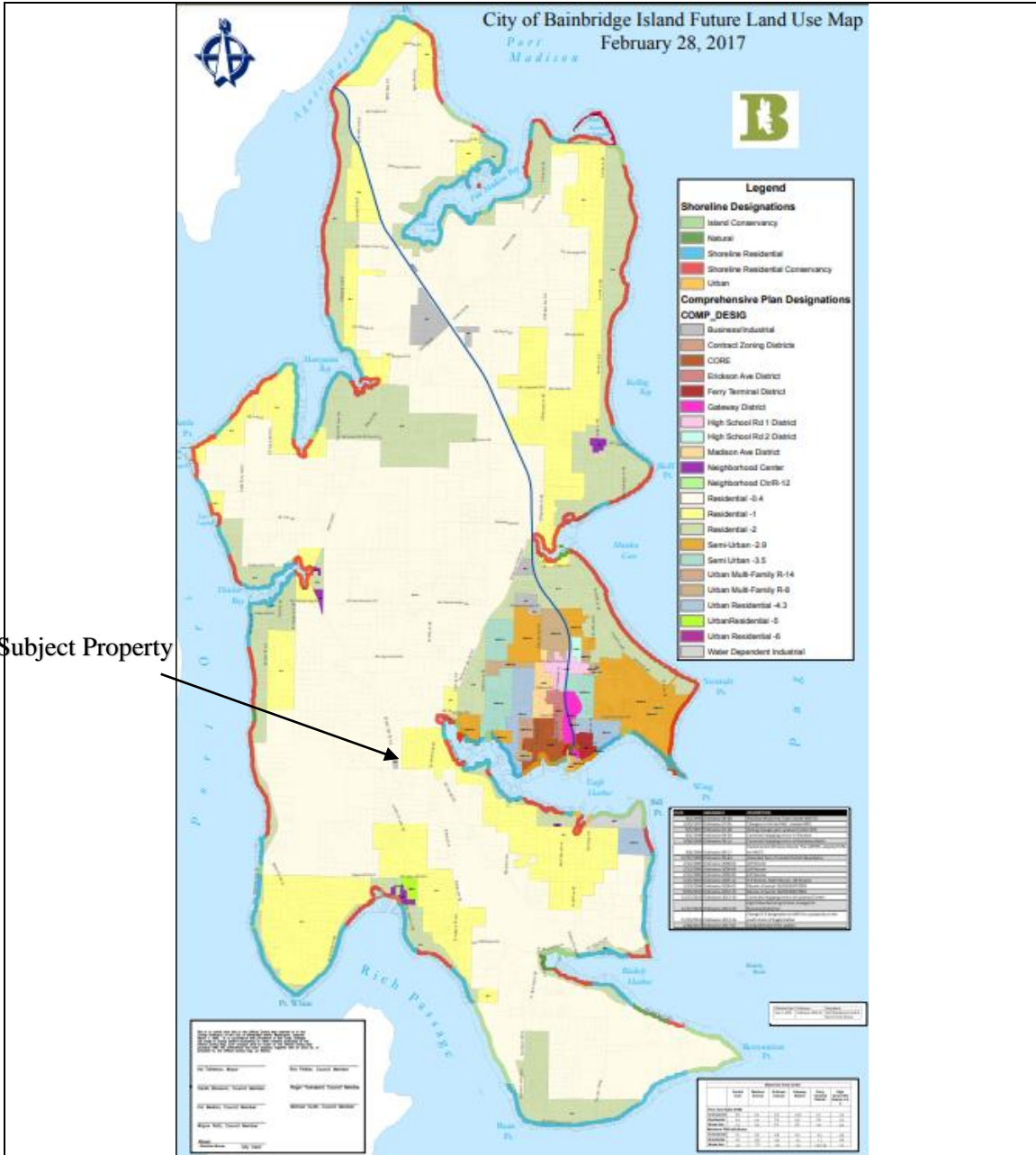
ATTEST/AUTHENTICATE:

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Christine Brown, MMC, City Clerk

FILED WITH THE CITY CLERK:	XX, 2023
PASSED BY THE CITY COUNCIL:	XX, 2023
PUBLISHED:	XX, 2023
EFFECTIVE DATE:	XX, 2023;
ORDINANCE NUMBER:	2023-11

# EXHIBIT A



**EXHIBIT B**

**Zoning Map**

