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## NOTICE OF ADMINISTRATIVE DECISION

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The City of Bainbridge Island has made a decision concerning the following land use application:

**Date of Issuance:** September 12, 2018  
**Project Name & Number:** Eagle Harbour Condos Building Renovation - Minor SPR and SSDE  
PLN50953 SPR  
**Project Type:** Site Plan Review  
**Owner:** Eagle Harbour Condominiums  
**Project Site & Tax Parcel:** 400 and 428 Harborview Dr SE, TA#80500000000002

**Project Description:** The project consists of the repair and reclad of both condo buildings.

**Project Decision:** The application is **conditionally approved**. This proposal is subject to administrative review under Chapter 2.16.030 of the Bainbridge Island Municipal Code. The staff report containing the findings of facts upon which the decision is based, including the conclusions of law derived from those facts and the conditions of approval, is available to the public upon request. **The decision becomes final after 14 days from the date of issuance, or after Wednesday, September 26, 2018**

**Decision Maker:**

Signature Heather Wright Date: 9.12.18  
Heather Wright, Acting Director  
City of Bainbridge Island  
Director of Planning and Community Development

**Appeal Procedure:**

This administrative decision may be appealed by filing a written appeal containing a summary of grounds for the appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020. **An appeal must be filed no later than 4:00 p.m., Wednesday, September 26, 2018**

**If you have any questions, contact:**

**Ellen Fairleigh**  
City of Bainbridge Island  
280 Madison Ave North  
Bainbridge Island, WA 98110  
206-780-3767 or [pcd@bainbridgewa.gov](mailto:pcd@bainbridgewa.gov)

## CONDITIONS OF APPROVAL

1. Except for modifications reflecting compliance with these conditions of approval, the project shall be constructed in substantial conformance with the site plans with a date stamp of February 7, 2018.
2. Hard surface replacement or addition exceeding a cumulative 800 SF shall require the project demonstrate compliance with Bainbridge Island Municipal Code (BIMC) 15.20. Permanent on-site stormwater management in accordance with the 2014 Department of Ecology Stormwater Management Manual for Western Washington shall be included with a stormwater site plan and stormwater pollution prevention plan at building permit submittal.
3. While the use of heavy equipment and other construction needed to complete the proposed addition is necessary, Bainbridge Island Municipal Code (BIMC) Section 16.16.025 limits the hours of construction activities in residential zones as follows:
  - i. Construction activities within residential zones or within 100 feet of residential zones shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays that do not constitute legal holidays.
  - ii. Construction activities within residential zones or within 100 feet of residential zones shall be prohibited before 9:00 a.m. and after 6:00 p.m. on Saturdays that do not constitute legal holidays.
  - iii. Construction activities within residential zones or within 100 feet of residential zones shall be prohibited on Sundays and all legal holidays except that work on the inside of an enclosed structure may occur between the hours of 10:00 a.m. and 4:00 p.m.
4. To mitigate potential off-site glare, any outdoor lighting shall be hooded and shielded to prevent lighting spillover beyond the property line.
5. To the satisfaction of the Bainbridge Island Fire Department, the project shall comply with all applicable provisions of the adopted Fire Code.
6. Prior to final Certificate of Occupancy, the applicant shall record a permanent and irrevocable conservation covenant, in a form acceptable to the City Attorney, preventing future development within the mitigation area. This may be in the form of a notice on title recorded with the Kitsap County Auditor.
7. Required mitigation measures include:
  - a. A 72 square foot Vegetation Management Area (VMA) is required to be planted along the shoreline in the Zone 1 buffer area. The plantings in the VMA will be a combination of multistoried, diverse, and native species.
8. The applicant is encouraged to comply with the recommended stewardship actions as listed in the Stewarding Shoreline Environments section of the submitted Habitat Management Plan by BGE Environmental, LLC dated February 2, 2018.
9. Any new vegetation planted in the shoreline buffer must be 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 unless a narrative is provided by a qualified professional that alternative species provide equivalent function to native species.
10. The 15-20 foot area around the perimeter of the 428 Harborview Drive S.E. building that will be disturbed for construction access shall either be replanted with existing landscaping or improved with landscaping that is native and meets the requirements of the Shoreline Master Program prior to final on the building permit.
11. If mitigation measures are not complete prior to final building permit inspection, the landowner shall submit to the City an assurance device conditioned on performance of required mitigation measures

in an amount of 125 percent of the cost of completing the required mitigation. The performance assurance shall be refunded to the applicant upon completion of the mitigation measures.

12. Mitigation measures in accordance with the site-specific impact analysis shall be completed within 12 months of final building permit inspection. Should the applicant fail to implement mitigation measures within 12 months, the City will use the performance assurance to fund the required mitigation actions.
13. This exemption does not authorize any additional removal of significant trees or native vegetation within shoreline jurisdiction except vegetation that must be removed for safe access to the work area. All other native vegetation and significant trees within the shoreline jurisdiction are required to be protected and retained under this exemption.