

3055C / 3826
2-15-89

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3985

AN ORDINANCE relating to enforcement issues regarding fences and recreational vehicles; to manufactured homes; and amending Sections 20.20.400, 20.50.014, 20.50.034, 20.50.044, 20.50.048, 20.50.050, 20.50.054 and 20.50.058 of the Bellevue City Code (Land Use Code); repealing Section 20.20.890 of the Bellevue City Code (Land Use Code); and adding new sections 20.20.527 and 20.20.720 to the Bellevue City Code (Land Use Code).

WHEREAS, the regulations herein enacted are necessary to clarify ambiguity in existing code requirements; and

WHEREAS, these regulations will help mitigate the aesthetic impacts of residential storage of large vehicles and watercraft on residential neighborhoods, will help assure the continued integrity and vitality of residential neighborhoods, will protect against the diminution of property values in those neighborhoods resulting from unsightly uses and will promote the health, safety and welfare of residential districts; and

WHEREAS, the City of Bellevue has determined that the concern for protecting the aesthetics, integrity, vitality and property values in residential neighborhoods outweighs the interest of those desiring to store large vehicles and vessels in driveways and in front yards unless adequately screened; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the City's Environmental Procedures Code; therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Bellevue City Code (Land Use Code) 20.20.400.A.2. is amended as follows:

20.20.400 Fences

A. General:

2. No fence may exceed 4'6" in height within a required front setback except as follows:

3826c
2-15-89

- a. If the fence is located on an arterial, on one side of a corner lot, or perpendicular to the right-of-way and necessary for screening, increased fence height may be administratively approved by the Director of Design and Development and shall not exceed the minimum height necessary to afford privacy, security, screening or noise attenuation
- b. Any request for increased fence height not meeting the criteria of paragraph a. must be approved by the Director of Design and Development through Design Review, Part 20.30F.
- c. Requests for increased fence height pursuant to either paragraph a. or b. above must meet the following criteria:
 - i. The proposed fence will not cause or contribute to a hazardous traffic situation, and
 - ii. The proposed fence is necessary to afford reasonable privacy, security or noise attenuation to the subject property, and
 - iii. The proposed fence is not out of character with development in the immediate vicinity of the subject property.

Section 2. Bellevue City Code (Land Use Code) Chapter 20.20 is amended by the addition of a new section as follows:

20.20.527 Manufactured Homes

Any designated manufactured home meeting the definition of RCW 35A.63.145 and the certification requirements of RCW 43.22.340 may be used as a dwelling unit provided it is placed on a foundation, connected to all utilities required by the applicable City Construction Codes and meets applicable setback requirements.

Section 3. A new section is added to Bellevue City Code (Land Use Code) Chapter 20.20 to read as follows:

20.20.720 Recreational Vehicles, Watercraft, and Utility Trailers

- A. Parking or storage of recreational vehicles, watercraft (whether mounted on trailers or unmounted), or utility trailers, except for loading and unloading activities

3826c
2-15-89

completed within a three-day period within any given two-week period, is not permitted within a residential land use district (R-1 - R-30), unless there is compliance with the following:

1. The recreational vehicle, watercraft (except for kayaks and canoes which need not be sight-screened), or utility trailer is housed within a vented garage or within a carport which is sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet in height; or
2. The recreational vehicle, watercraft (except for kayaks and canoes which need not be sight-screened), or utility trailer may be located within a side or rear yard if in compliance with setback requirements applicable to accessory structures and sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet in height;
3. If there is no reasonable access to a rear or side yard, either one recreational vehicle, watercraft or utility trailer not exceeding 28' in length may be located in the front yard as follows:
 - a. In the driveway perpendicular to the right-of-way, provided setback requirements applicable to the primary structure are met and the vehicle or watercraft is sight-screened from the closest abutting property by solid board fencing or sight-obscuring landscaping at least six feet in height; or
 - b. Within the required front setback area, provided the vehicle or watercraft is completely sight-screened from the right-of-way and from the closest abutting property. The sight screening must consist of plant material; however, a gate is permissible if necessary to maneuver the vehicle or watercraft.
 - c. A vehicle or watercraft stored under paragraph 3 must be licensed and operable.
4. Notwithstanding any other provision of this ordinance, for a maximum five-year period from the effective date of this ordinance, a recreational vehicle, watercraft or utility trailer which was owned and was being parked on a property by the occupant of the property on the

3826c
2-15-89

effective date of this ordinance may be parked in the driveway, provided all of the following requirements are met:

- a. There is no reasonable access to the rear or side yard; and
- b. There is sight screening from the closest abutting property by sight-obscuring landscaping at least six feet in height, or if landscaping is inadequate to provide proper screening by a fence at least six feet in height; and
- c. The driveway surface is paved or of all-weather surface such as gravel or asphalt; and
- d. The vehicle or watercraft is licensed and operable; and
- e. No portion of the vehicle or watercraft intrudes over the curb or sidewalk into the public right-of-way.

For purposes of this paragraph 4, a driveway is defined as the surface between the curb line and building line which provides vehicular access to a garage, carport or principal parking area.

5. For purposes of this section, all sides of a property which abut a right-of-way constitute a front yard.
- B. One recreational vehicle may be used as a temporary dwelling on a lot already containing another dwelling unit for up to five days without a permit and for an extended period not to exceed 30 days upon issuance of a temporary use permit by the City.
1. The permit issued must be affixed to the recreational vehicle in such a manner that it is prominently displayed and visible, to the extent possible, from a public right-of-way.
 2. Recreational vehicles meeting the requirements of paragraph B may be parked within a front yard, need not be sight-screened and need not comply with accessory structure setback requirements for the effective period of the permit.
 3. No more than one temporary use permit may be granted within any three-month period.

3826c
2-15-89

- C. Parking or storage of recreational vehicles, watercraft or utility trailers for compensation is not permitted within a residential land use district (R-1 - R-30). This paragraph does not apply to storage facilities provided exclusively for tenants of multifamily dwelling complexes
- D. Commercial vehicles which exceed 19' in length are not permitted to be parked overnight on residential properties unless approved through a Home Occupation permit
- E. This section does not apply to vehicles with camper shells or to watercraft moored over water
- F. Recreational vehicles, watercraft and utility trailers which exceed 40' in length are not permitted in any residential land use districts (R 1 - R 30)

Section 4. Bellevue City Code (Land Use Code) 20.20.890 is repealed.

Section 5. Bellevue City Code (Land Use Code) 20.50.014 is amended as follows:

CAMPER SHELL. Any all-weather cargo enclosure which is mounted on the walls of a truck over the bed, contains no interior fittings, and is used for the transportation of cargo.

COMMERCIAL VEHICLES. Any vehicle with or without identifying commercial signage which is used primarily for a commercial purpose.

Section 6. Bellevue City Code (Land Use Code) 20.50.034 is amended as follows:

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Section 7. Bellevue City Code (Land Use Code) 20.50.044 is amended as follows:

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RECREATIONAL VEHICLE. Any vehicle defined as follows:

Any wheeled, motorized vehicle manufactured, converted or altered to provide self-contained temporary living quarters for recreational, camping or travel uses, and which does not exceed 40' in length. Any vehicle manufactured, converted, or altered which has integral wheels for towing or can be mounted on a motorized vehicle to provide self-contained, temporary living quarters for recreational, camping or travel uses.

3826c
2-15-89

Section 8. Bellevue City Code (Land Use Code) 20.50.048 is amended as follows:

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Section 9. Bellevue City Code (Land Use Code) 20.50.050 is amended by the addition of the following definition:

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UTILITY TRAILER. Any vehicle with integral wheels designed to be towed by a motorized vehicle to transport goods, property, equipment or livestock.

Section 10. Bellevue City Code (Land Use Code) 20.50.054 is amended by the addition of the following definition:

WATERCRAFT. Any vessel which is used for water travel sport or pleasure, which is greater than 12' in length, but does not exceed 40' in length or 12' in height as measured at the highest point when mounted on a trailer.

Section 11. Bellevue City Code (Land Use Code) Section 20.50.058 is amended by the addition of the following definition:

YARD. The area between the existing building line and the property line.

3826c
2-15-89

Section 12. This ordinance shall be effective five days after adoption and publication.

PASSED by the City Council this 21st day of February 1989, and signed in authentication of its passage this 21st day of February, 1989.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Andrews
Richard L. Andrews, City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published February 25, 1989