

AN ORDINANCE amending Ordinance No. 68 passed the 28th day of September, 1954, by adding definitions and amending general conditions and regulations governing wharves, moorages and docks and regulating public and semi-private moorage facilities in R-3 districts.

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Chapter 3 of Ordinance No. 68 passed on the 28th day of September, 1954 is amended by adding thereto Paragraph 3.1.11 which will provide as follows:

"Paragraph 3.1.11. Additional Definitions. Unless the context clearly indicates a different meaning the words used herein shall have the following meaning:

"'Club' -- An incorporated or unincorporated association of persons organized for a social, educational, literary or charitable purposes. Property occupied by a club shall be deemed to be semi-private in character and shall be subject to the regulations governing public buildings and places.

"'Covered Moorage Building Area' --- shall be deemed to be the area of water lying directly beneath that portion of a structure covered by a roof.

"'Dock' -- An artificial basin for moorage of boats, including a basin formed by dredging into the bank of a lake or stream or formed between the extension of two piers or the area between a bank or quay and a pier. Docking facilities may include wharves, moorage or docks or any place or structure connected with the shore or upon shorelands provided for the securing of a boat or vessel.

"'Moorage' -- A place to tie up or anchor a boat or vessel.

"'Normal High Water Line' -- That point to which the water extends at the highest stage of the lake level during the year without regard to the shoreline as created by bulkheads or other artificial structures.

"'Semi-private Facility' -- Any facility to which a class or a group of the public is permitted to attend or use subject to the regulations of a club or other organization owning or regulating such facility.

Section 2. Paragraph 4.8.25 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 4.8.25. Private, semi-private and public moorage and docking facilities in water front areas of the R-3 district, subject to compliance with the regulation of Paragraph 5.2.70

Section 3. Paragraph 4.13.11 of Ordinance No. 68 is amended as follows:

"4.13.11. Off-street automobile parking. The use of a building or structure, for which B-P zoning of property has been granted as required for the use, shall be dependent on the existence of such B-P zoning for its continued operation. If the required B-P zoning ceases to exist in connection with the use for which it was granted, and no equivalent B-P zoning is provided in connection with the use, the occupancy and use of the building or structure becomes illegal and the occupancy permit is void. For a new building or structure, or for the enlargement or increase in size of any existing building or structure, except one or two family dwellings, there shall be established and maintained a permanent B-P zoned off-street parking area within one thousand (1,000) feet of the front entrance thereof. The capacity of such parking area shall be as follows, for the following uses:

LAND USE	NUMBER OF PARKING SPACES
Apartment Houses and Garden Courts	1 for each dwelling unit
Auto Courts	2 for each dwelling unit
Churches, mortuaries, funeral homes	1 for each 5 seats in the chapel or nave
Banks, business and professional offices	1 for each 200 square feet of gross floor area of the building
Boat moorage, Public or semi-private pleasure	1 for each 2 boat moorage slip
Bowling alleys	5 for each alley
Dance halls, places of assembly, exhibition halls without fixed seats	1 for each 75 square feet of gross floor area of the building
Drive-in restaurants, ice cream or soft drink refreshment establishments, or similar drive-in uses which service auto-borne customers outside the building	1 for each 15 sq. ft. of gross floor area
Food stores, markets, and shopping centers:	
having not more than 2,000 square feet of gross floor area, exclusive of basement	1 for each 400 sq. ft. of gross floor area of the building
having more than 2,000 square feet but not more than 5,000 sq. ft. of gross floor area exclusive of basement	1 for each 300 sq. ft. of gross floor area of the building
having more than 5,000 sq. ft. of gross floor area, exclusive of basement	1 for each 200 sq. ft. of gross floor of the building

Fraternity, sorority or cooperative houses	1 for each three occupants
Hotels	1 for each room or suite
Hospitals, sanitariums, convalescent homes, nursing homes and rest homes	1 for each five regular beds, plus one for each regular employee
Manufacturing uses including research and testing laboratories, creameries, soft drink bottling establishments, bakeries, canneries, printing and engraving shops	1 for each 2 employees, with a minimum of 2 spaces.
Medical and dental clinics	1 for each 200 square feet of gross floor area of the building.
Outdoor sports areas or parks without fixed seats	Subject to review by Planning Commission
Other retail establishments, such as furniture, appliance, hardware stores, household equipment service shops, clothing or shoe repair or service shops	1 for each 400 square feet of gross floor area of the building providing that each must have at least 4 parking spaces
Restaurants, taverns, and any establishment for the sale and consumption within a building of food, alcoholic beverages, or refreshments	1 for each 100 square feet of gross floor area of the building
Restaurants, ice cream or soft drink, refreshment establishments, or similar uses which service automobile customers both within the building and outside the building	1 for each 60 sq. ft. of gross floor area
Rooming and lodging houses	1 for each occupant
Skating rinks and other commercial recreation places	1 for each 100 sq. ft. of gross floor area of the building
Stadiums, sports arenas, auditoriums, and other places of assembly with fixed seats	1 for each 4 seats
Theaters	1 for each 4 fixed theater seats, subject to review by Planning Commission
Wholesale stores, warehouses, and storage buildings, motor vehicle or machinery sales	1 for each 2 employees, with a minimum of 2 spaces

Section 4. Paragraph 5.2.70 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.70 Private Boat Moorage.

- (1) When permitted: Wharves for the moorage of private pleasure boats of the owner of the property on which the moorage is located is permitted in water front areas of R districts subject to:
 - (a) Approval of the Corps of Engineers:
 - (b) Approval of the City Engineer as to structural stability and safety of the structure; and
 - (c) Compliance with the restrictions and regulations of this Ordinance.
- (2) Any Private Moorage or Wharf for a boat shall be set back a minimum of 12 feet from the side property lines except when by the mutual agreement of adjoining property owners, acknowledged as a deed and recorded with the King County Auditor, a wharf, moorage or shelter may be built on or straddling the common side line of the adjoining owners' property.
- (3) Uncovered private piers shall be restricted in their length to a maximum of 150 feet from the normal high water mark.
- (4) The covered portion of a moorage or pier shall be restricted to the area lying within an equilateral triangle, the base of which shall be a line drawn between the points of intersection of the property side lines with the line of normal high water, except that covered moorage shall not extend beyond 100' from the base line, and except that if the vertex of the equilateral triangle so drawn is less than 100 ft. from the center of the base of such triangle, the covered portion of such moorage or pier shall be restricted to the area lying within a isosceles triangle of which the base is the line drawn between the points of intersection with the respective side lines of such property and the line of normal high water with the vertex thereof 100 feet from the center of said base. The required 12 feet set back from the property side lines shall be deducted from the triangle area.
- (5) Area Requirements. ^{Covered} Moorage structures, in no event, shall cover more than 50% of the ^{covered} moorage building area. ^{at which a covered moorage is built pursuant to the agreement of adjoining owners as provided in Paragraph (2) above,} the covered moorage ~~building~~ area shall be deemed to include, subject to the limitations of such joint agreement, all of the combined building areas included within the triangles extended upon said adjoining properties as augmented by the inverted triangle situated between the aforesaid triangles having as its base a line drawn between the vertices of the respective triangles or the intersection of the sides of the triangles with the 100' limitation line aforementioned.

Change wording

(5) as follows:

"Covered moorage structures in no event shall cover more than fifty (50) percent of the permitted covered moorage area as outlined in 5.2.70 (4)."

Strike the word "building" in subparagraph (5) as indicated.

- (6) Variances. When, owing to special circumstances and conditions, including, but not limited to an adverse prevailing wind direction, a shallow trunk, sewer or water main, extensive shallow water or overlapping of triangles, enforcement of the covered moorage limitation will result in unnecessary hardship and when such practical difficulties render compliance with such limitations difficult by the property owner, the Board of Adjustment may grant, upon proper application therefor, such variance as will preserve the intent and spirit of these limitations.
- (7) The provisions of Paragraph 5.3.30 of this Ordinance shall not apply to the expansion of an existing private non-conforming over-the-water-boat-shelter or boathouse, provided that the expansion thereof does not exceed 25% of the original nonconforming structure, and provided further that the expansion thereof is shoreward if the structure is presently beyond the 100 foot maximum permitted distance from the normal high water line and provided that such expansion will create no greater encroachment upon the side line set back requirement."

Section 5. Paragraph 5.2.71 is amended to provide as follows:

"Paragraph 5.2.71 Semi-Private Moorage:

Semi-private moorage and docking facilities for private pleasure boats will be permitted in water front areas of the R-3 districts when the facilities are accessory to a yacht club or other permitted use, provided that such facilities meet the requirements of a public moorage."

Section 6. Paragraph 5.2.72 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.72 Public Moorage: Public moorage and docking facilities for pleasure boats will be permitted in water front areas of R-3 districts provided:

1. That the approval of the Corps of Engineers is obtained together with the approval of the City Engineer as to structural stability and safety and compliance with this ordinance.
2. That auto parking and public circulation areas are designed in compliance with City ordinances and recommended by the Planning Commission to the Council for classification to B-P.
3. No business or commercial enterprise is conducted or provided for on the piers or on floating craft or on the land within the R-3 district, except the rental of moorage space.
4. Roofed moorage structures start from a point not more than 50' from the high water line. Individual moorage slip roofs built on the piers or on floats are not permitted.
5. Roofed moorage structures provide adequate natural or artificial light on the piers and walkways at all times to make passage safe.
6. No public or semi-private roofed moorage structure shall cover more than 50% of the allowable over-water-roofed-moorage-area of any one property as defined in this section.

7. Dry land boat storage facilities on land shall be limited to those properties having frontage on the lake and such buildings or facilities shall observe a 50' setback from public streets and from properties of other classification and a solid planting screen shall be required on the perimeter of any such storage development.
8. The length of covered piers for public or semi-private moorage is within the following boundary line: Beginning at high water level datum on the south easterly boundary of 99th Ave. N.E., thence southwesterly on a line which is a projection of the southeasterly boundary of 99th Ave. N.E. to a point of intersection where by turning left an angle of 76° a southeasterly line will bisect the Grill 1954 station of the U.S.C. & G.S., triangulation, shoreline and hydrographic survey of September 24, 1954, thence southeasterly on this line through the Grill station 930', thence turning right an angle of 85° proceed southwesterly to the center line of Meydenbauer Bay.
9. The extent of covered structures for public or semi-private moorage complies with the following limitations: Covered moorage can be built on the property line and out into the water beyond the normal waters edge or shoreline a maximum of 75', from this point out a 45' setback is required, but no covered moorage shall extend farther than the limits of the following boundary line: Beginning at the high water level datum on the southeasterly boundary of 99th Ave. N.E., thence southwesterly on a line which is a projection of the southeasterly boundary of 99th Ave., N.E. to a point on said line which is 75' northeasterly of a point of intersection where by turning left an angle of 76° a southeasterly line will bisect the Grill 1954 station of the U.S.C. & G.S. triangulation, shoreline and hydrographic survey of September 24, 1954, then turning left an angle of 76° proceed southeasterly 1015', thence turning right an angle of 85° proceed southwesterly to the center line of Meydenbauer Bay.

Section 7. Paragraph 5.2.73 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.73 Covered moorage and docking facilities, private, semi-private and public, shall not exceed a maximum of 16' above the Lake Washington high water level datum which is 22.0' above the mean lower low water in Puget Sound as established by the Corps of Engineers, which corresponds to elevation 29.16' as established by the U. S. Coast and Geodetic Survey. Pier decks shall not be higher than U.S.A.E. elevation 27.0'."

Section 8. Paragraph 5.2.74 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.74 Any private, semi-private or public pier or shelter structure built over water shall be built of dimensioned lumber or other rigid, finished, manufactured materials. Wood structural members, such as post and beams, of any structure or moorage facility accomodating four or more boats shall be a

minimum of 4" dimension timber construction. Size of metal structural members shall be as required by Ordinance No. 2 or amendments thereto. No piling shall extend higher than 3' above the pier or wharf deck, except for specific uses such as the mast of a derrick or hoist for lifting boats out of the water, or four post hoist for cradling small boats when housed within a walled building. Piling may be used to support a roofed and walled structure when located on the inside of the walled sides of the structure, but not on an open side. Such piling shall be braced and tied to prevent working. Walls applied to such piling shall be furred to a plumb and true plane. Shelter for boats in semi-private and public moorage shall be constructed of permanent fixed materials. No frame and canvas shelters shall be permitted."

Section 9. Paragraph 5.2.75 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.75 A wharf or pier with a land end or access ramp 6' or more in width shall be designed structurally to carry H-10 truck loading."

Section 10. Paragraph 5.2.76 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.76 A minimum of two chemical fire extinguishers in operating condition and in conspicuous locations, accessible to the public at all times, shall be provided on each public or semi-private pier. Extinguishers shall be one of the following: Chemical foam - 2½ gal.; Carbon Dioxide - 15 lb.; Dry Chemical - 10 lb."

Section 11. Paragraph 5.2.77 of Ordinance No. 68 is amended to provide as follows:

"Paragraph 5.2.77 All public or semi-private moorage facilities, existing as of the effective date of this amendment, or new construction, shall provide separate on-shore or on-pier toilet facilities for each sex, convenient to the boat moorage, each consisting of one water closet and one lavatory in a minimum area of 40 sq. ft., which shall be connected to a public sewerage system. A covered trash can and a covered garbage can shall be located at 100' intervals on moorage piers. The use of boat bilge pumps or boat toilets when in dock or within the waters of Meydenbauer Bay is prohibited".

Section 12. Chapter 5.2 is amended by adding thereto Paragraph 5.2.78 as follows:

"Paragraph 5.2.78 Prohibited Activities. No boat, houseboat or water craft moored in or off of the shorelands of Bellevue and no premises located upon piles or piers in or off the shorelands of Bellevue shall be used as a place of habitation." The dead storage or moorage of inactive boats or water craft in the Bay, secured to bouys, anchors or other boats, is prohibited.

Section 13. This ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council on this 11th
day of January, 1955, and signed in authentication
thereof this 11th day of January, 1955.

W. H. Gorman
Mayor

Alfred O. Kowal
Councilman

W. H. Gorman
Councilman

Approved as to form:

W. H. Gorman
City Attorney

(SEAL)
Attest:

FILED
CITY OF BELLEVUE
DATE Jan. 12, 1955
CITY CLERK Jean S. Scholz

Jean S. Scholz
City Clerk

Date of Publication: Jan. 20, 1955.