

ORDINANCE NO. 407

AN ORDINANCE, relating to zoning and amending Ordinance No. 310, Redmond Zoning Plan, by the addition of land use regulations and districts (zoning) for Waterfront Property Regulations (Chapter 10A) and Specific Area Regulations (Chapter 10B).

WHEREAS, special problems have been found to exist in the use and occupancy of property bordering upon and vicinal to bodies of water, and more particularly Lake Sammamish, which requires specific regulations of general application to apply to such areas; and

WHEREAS, the Redmond Planning Commission duly held a public hearing on proposed Waterfront Property Regulations and Specific Area Regulations on July 6, 1966, and thereafter considered and recommended the adoption of such regulations by the City Council; and

WHEREAS, the City Council duly held a public hearing on August 9, 1966, to consider the proposed regulations recommended to it by the Redmond Planning Commission, and deems it advisable and necessary to adopt such regulations for the purposes set forth in Chapter 35.63 RCW and for the public welfare and safety, Now, Therefore

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

Section 1. Ordinance No. 310, passed and approved July 9, 1963, is hereby amended by the addition of Chapter 10A, entitled Waterfront Property Regulations, and by the addition of Chapter 10B, entitled Specific Area Regulations, as follows:

Added to Ordinance No. 310
by Ordinance No. 407

10A.1.1
10A.3.2

Chapter 10A

WATERFRONT PROPERTY REGULATIONS

10A.1 PURPOSE AND APPLICATION - DEFINITIONS

10A.1.1 The purpose of this chapter is to give the general regulations applying to waterfront property on Lake Sammamish within the city limits of Redmond. These regulations shall be construed in conjunction with other applicable regulations of this ordinance as a modification thereof and shall control in case of conflict.

10A.1.2 Definitions. The following words and word phrases shall have the meanings given:

Level of ordinary high water: The water surface at elevation 27 feet above mean sea level.

Line of ordinary high water: The land contour at the level of ordinary high water as such contour exists at the effective date of this chapter or as the line of ordinary high water may subsequently be established by provisions of Section 10A.7.2.

Shoreland: Land lying waterward of the line of ordinary high water.

Upland: Land lying landward of the line of ordinary high water.

Waterfront property: The tier of lots on upland adjoining the line of ordinary high water together with adjoining shorelands if conveyed.

10A.2 PRIMARY STRUCTURES - RESIDENTIAL

10A.2.1 Primary structures (dwelling unit buildings) shall not be permitted on shoreland. The most waterward part of the building line of such structure shall be not less than 20 feet from the line of ordinary high water, and no extremity of such structure shall be less than 12 feet from the line of ordinary high water, both dimensions measured horizontally.

10A.3 ACCESSORY STRUCTURES - RESIDENTIAL

10A.3.1 Accessory structures not intended for use of a marine nature shall not be permitted on shoreland. The most waterward part of the building line of such structure shall be not less than 20 feet from the line of ordinary high water and no extremity of such structure shall be less than eighteen and one half feet from the line of ordinary high water, both dimensions measured horizontally.

10A.3.2 Accessory structures intended for use of a private non-commercial marine nature shall be permitted on:

- (1) Shoreland in accordance with the rules and regulations of the Corps of Army Engineers and with Sections 10A.3.3 and 10A.3.4.
- (2) Shoreland, and upland as an integral extension of a structure on shoreland, in accordance with Sections 10A.3.3 and 10A.3.4.
- (3) Upland only, in accordance with Section 10A.3.4. The distance from a side property line to such structure shall be a minimum of five feet.

Provided the area of such structure on upland shall be subject to the lot coverage restrictions of Section 26.2.1 (1).

10A.3.3 Structures permitted under Section 10A.3.2:

- (1) Shall be located not less than 12 feet from any side property line of the lot and/or of the shoreland adjoining on which such structure is located, provided owners of adjoining lots may enter into a written agreement for joint use of such structure, in which event such structure may be located on the common property line. Such agreement shall meet with approval of the City Attorney. An executed copy of such approved agreement shall accompany the application for a building permit for such joint use structure. The prepared building permit shall not be delivered until evidence has been presented that such agreement has been recorded with the King County Auditor.
- (2) Shall not extend onto shoreland a distance of more than 75 feet from the base line of a triangle as described in Section 10A.3.4 (1)(a), measured horizontally.

10A.3.4 Structures permitted under Section 10A.3.2 shall have a height from top extremity to level of ordinary high water, except for the provisions of Section 10A.3.5, of not more than:

- (1) Ten feet when located within:
 - (a) The area enclosed by a horizontal equilateral triangle the base line of which is at a 90 degree angle to the centerline of the lot and/or the shoreland adjoining on which such structure is located, at a point on such centerline midway between the projection onto such centerline at a 90 degree angle thereto, of the intersections of the side property lines of such lot with the line of ordinary high water, with such base line terminated at the intersection thereof with the side property lines of such lot, and the apex of which lies on shoreland; except those portions of such triangle which are less distant from the side property lines of such lot than as specified in Section 10A.3.3 (1), and/or
 - (b) The area enclosed by the base line of the triangle described above, the side property lines of such lot, and a line a distance landward from the line of ordinary high water as specified for the building line in Section 10A.3.1, except those portions of such area which are less distant from the side property lines of such lot than as specified in Section 10A.3.3 (1).

Provided in the event of a joint use structure as permitted by Section 10A.3.3 (1) the permissible area within which such structure may be located shall include the area between the respective equilateral triangles and bounded by a straight line between the apexes thereof.

- (2) Two feet when located outside the area described in Section 10A.3.4 (1).

10A.3.5 Railings may be placed on the perimeter of structures permitted under Section 10A.3.2, having a maximum height of 42 inches above the surface on which placed, and having not less than 85 per cent of the projected area of the railing open to sight, with the structural parts distributed as uniformly as possible.

10A.3.6 Projections from structures permitted under Section 10A.3.2 which overhang water more than one foot and which are not more than three feet above the level of ordinary high water shall have the edges thereof painted white, and the paint maintained in good condition.

10A.4 RESERVED

10A.5 RESERVED

10A.6 LOT LIMITS - AREA

10A.6.1 For purposes of administering the regulations of this ordinance reference to a government meander line in a property description as the waterward limit of a lot shall be taken as the line of ordinary high water whether such meander line lies above or below the line of ordinary high water, unless the description clearly indicates an intention that the actual boundary shall be the meander line lying above the line of ordinary high water.

10A.6.2 For purposes of administering the regulations of this ordinance the waterward boundary line of waterfront property, the description of which does not include adjoining shoreland, shall be construed to be the line of ordinary high water unless the description refers to the low water line as the waterward boundary line in which event the owner of such property shall be construed to have riparian rights in the adjoining shoreland lying between the line of ordinary high water the the low water line.

10A.6.3 For purposes of administering the regulations of this ordinance pertaining to lot areas, the area of adjoining shoreland to which the owner of waterfront property may have riparian rights shall not be construed to be included.

10A.7 BULKHEADS - LAND FILL - DREDGING - LINE OF ORDINARY HIGH WATER

10A.7.1 Bulkheads and land fill shall be permitted no further waterward than the line of ordinary high water. Permission to dredge waterward of the line of ordinary high water shall be obtained from the Corps of Army Engineers and from the City of Redmond.

10A.7.2 Where the line of ordinary high water at the effective date of this chapter is irregular and a general improvement of the shoreline in a specific area can be made by changing the location of the line of ordinary high water, such change shall be permitted, provided the proposed change shall be initiated by owners of waterfront property within such area and shall meet with approval of all of the following:

- (1) Not less than 75 per cent of the number of owner entities (each parcel, one owner) of the property on which the location of the line of ordinary high water is proposed to be changed.
- (2) The Public Works Director, who shall have discretionary power in determining the length of shoreline involved in any specific proposed change.
- (3) The Planning Commission.
- (4) The Corps of Army Engineers, as to location of bulkheads, land fill and dredging, in connection with the new location of the line of ordinary high water. Duplicates of the drawings and other information required by the Corps shall be submitted to the Public Works Director.

10A.7.3
10A.7.4

10A.7.3 Administrative procedure for changing the location of the line of ordinary high water may be established by the Public Works Director and the Planning Director. The Planning Commission shall be empowered to conduct any hearings a specific project may be determined to require.

10A.7.4 Owners of property within an area in which the location of the line of ordinary high water is changed shall not be required to:

- (1) Fill to the new location of the line of ordinary high water. However setback for structures on upland may be taken from such new location.
- (2) Dredge to the new location of the line of ordinary high water. However setback for structures on upland shall be taken from a point no further waterward than the new location of the line of ordinary high water.

Added to Ordinance No. 310
by Ordinance No. 407

10B.1.1
10B.2.2

Chapter 10B

SPECIFIC AREA REGULATIONS

10B.1 PURPOSE AND APPLICATION

10B.1.1 The purpose of this chapter is to give certain regulations applying to specifically described areas wherein problems exist which do not generally exist over the City as a whole. These regulations shall be construed in conjunction with other applicable regulations of this ordinance as a modification thereof and shall control in case of conflict.

10B.2 SPECIFIC AREA I

10B.2.1 The regulations of this topic shall apply within the area described as follows:
Beginning at a point in section 24, township 25 north, range 5 east W. M. which point is the intersection of the centerline of West Lake Sammamish Parkway N. E. (AKA West Lake Sammamish Boulevard and other names) with the southwesterly extension of a line which bears south 24 16'50" west from the angle point on the Government meander line of Lake Sammamish which is the northeasterly line of Tract 3, Harrison's Acreage Tracts as recorded in volume 17 of plats, page 66, records of King County, Washington; thence northeasterly along said southwesterly extension and along said line to the said angle point; thence northeasterly in a straight line to an intersection with the line of ordinary high water of Lake Sammamish, said straight line intersecting the centerline of Lake Sammamish at that point at which the easterly extension of the south line of lot 0, Harrison's Acreage Tracts, Replat of Tracts 1 and 2 as recorded in volume 19 of plats, page 33, records of King County, Washington, intersects the centerline of Lake Sammamish; thence generally southeasterly and southerly along said line of ordinary high water to an intersection with the south line of the north quarter of section 30, township 25 north, range 6 east W. M.; thence westerly along said south line to an intersection with the centerline of said West Lake Sammamish Parkway N. E.; thence generally northerly along said centerline to an intersection with the said southwesterly extension of a line which bears south 24 16'50" from the said angle point on the Government meander line of Lake Sammamish, and the point of beginning.

10B.2.2 Lot width. Any lot of record in existence at the effective date of this regulation which was in existence prior to November 24, 1964, the width of which is less than that permitted by use zone regulations and having an area which is not less than two times that required per lot by use zone regulations, may be divided in the major dimension of such lot in such manner that the area of each resulting lot is not less than the use zone requirement and each such lot shall be considered a conforming lot for purposes of obtaining a building permit, provided the setback requirements of Section 10B.2.3 are met.

10B.2.3 Setback. The following setback regulations shall be subject to the provision that when the side setback is less than five feet a written statement signed by the owner of affected adjoining property that such owner has no objection to such reduced setback, shall accompany any application for a building permit, and to the provision that the minimum horizontal distance between closest points of building lines of adjacent dwelling unit buildings shall be 15 feet and between closest points of extremities of such buildings shall be ten feet.

- (1) The setback for dwelling unit buildings and for accessory buildings from West Lake Sammamish Parkway N. E. (also known by various other names) shall be 20 feet.
- (2) The side setback for dwelling unit buildings shall be:
 - (a) On lots the least width of which is not more than 50 feet as determined within the lengthwise limits, with respect to the lot, of the area covered by the dwelling unit building, a minimum on one side of the lot of two and one half feet, with the sum of such dimensions on both sides of the same lot totalling a minimum of seven and one half feet.
 - (b) On lots the least width of which is more than 50 feet but not more than 65 feet, determined as given in (a) above, a minimum in feet on one side of the lot of the sum of two and one half and the product of 0.166 and the lot width in excess of 50 feet, with the sum of such dimensions on both sides of the same lot totalling a minimum in feet of the sum of seven and one half and the product of 0.5 and the lot width in excess of 50 feet.
 - (c) On lots the least width of which is 65 feet or more, determined as given in (a) above, a minimum on one side of the lot of five feet with the sum of such dimensions on both sides of the same lot totalling a minimum of 15 feet.
- (3) The side setback for an accessory building shall be five feet on each side of the same lot.
- (4) The setback for dwelling unit buildings and accessory buildings from the end of a lot toward Lake Sammamish but not adjoining the lake shall be 20 feet.
- (5) The setback for dwelling unit buildings and accessory buildings from the end of a lot toward West Lake Sammamish Parkway N. E. but not adjoining such street shall be 25 feet.

10B.2.4 Parking. The parking facilities for each dwelling unit building shall be located on the same lot with such dwelling unit building except when, in the discretion of the Zoning Official, such requirement is impractical due to topography, such parking facilities may be placed on adjoining property, provided there is an appropriate easement or covenant which meets with approval of the City Attorney. An executed copy of such approved easement or covenant shall accompany any application for a building permit for such dwelling unit building. The prepared building permit shall not be delivered until evidence has been presented that such easement or covenant has been recorded with the King County Auditor.


10B.2.5 Corridor. Where land access to a lot can be had only by a corridor over intervening property, if such corridor is by easement, the minimum width thereof shall be 12 feet if serving one lot and 15 feet if serving two lots.

Section 2. Chapters 10A and 10B, as hereby adopted, shall be and constitute a part of the Redmond Zoning Plan, adopted and established by Ordinance No. 310, and as thereafter amended, and the regulations hereby adopted shall be construed and administered in conformity with Ordinance No. 310, as amended.

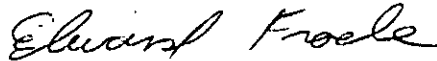
Section 3. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington at a regular meeting thereof, and APPROVED by the Mayor this 23rd day of August, 1966.

CITY OF REDMOND


G. C. GRAEP
MAYOR

ATTEST:



EDWARD FROEBE
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

Published in the Sammamish Valley News on

SEP 1 1966