

Ordinance No. 119871

Council Bill No. 113020

# The City of Seattle Council Bill/Ordinance

AN ORDINANCE relating to land use and zoning, repealing SMC 23.60.604 (A) (2) and SMC 23.60.365 (A) and (B) to prohibit the construction of new single-family dwelling units over water in the Urban Stable (US) and Conservancy Recreation (CR) shoreline environments.

3-6-00 Pass

CF No. \_\_\_\_\_

Date Introduced:	NOV 27 1999	
Date 1st Referred:	To: (committee)	Neighborhoods, Growth Planning and Planning Engagement Committee
Date Re - Referred:	To: (committee)	Neighborhoods, Sustainability and Community Development
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
Date Presented to Mayor:	Date Approved:	
Date Returned to City Clerk:	Date Published:	T.O. P.T.L.
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

*Law Department*

Law Dept. Review

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: STEINBRUECK  
Councilmember

## Committee Action:

3-6-00 Passed

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

*Law Department*

Law Dept. Review      OMP Review       City Clerk Review      Electronic Copy Loaded      Indexed

ORDINANCE 119871

1  
2 AN ORDINANCE relating to land use and zoning, repealing SMC 23.60.604 (A) (2) to prohibit the  
3 construction of new single-family dwelling units over water in the Urban Stable (US) and  
4 Conservancy Recreation (CR) shoreline environments.

5 WHEREAS, the Seattle Shoreline Master Program currently allows new single-family dwelling units to  
6 be constructed over water within the Urban Stable and Conservancy Recreation shoreline  
7 environments; and

8 WHEREAS, in 1999 the National Marine Fisheries Service listed chinook salmon and bull trout as  
9 threatened species pursuant to the Federal Endangered Species Act; and

10 WHEREAS, chinook salmon and possibly bull trout are found in the waters of the City of Seattle,  
11 including "Salmon Bay" and Lake Washington; and

12 WHEREAS, the City Council intends to take appropriate actions to protect and enhance the environment  
13 for fish and other wildlife, including in particular, the threatened chinook salmon and bull trout;  
14 and

15 WHEREAS, the construction of residences in and over the waters of Salmon Bay or Lake Washington  
16 may be harmful to fish and fish habitat, and should not be allowed; and

17 WHEREAS, the waters and shorelines of the City are a unique and scarce resource which should  
18 generally be reserved for water-dependent or water-related uses, and single-family residences  
19 may be located elsewhere in the City without the need to preclude more appropriate, water uses  
20 from the City's waters and shoreline;

21 NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

22 Section 1. SMC 23.60.604 (A) (2) is hereby repealed.

23 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its  
24 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
presentation, it shall take effect as provided by Municipal Code Section 1.04.020.



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Passed by the City Council the 6<sup>th</sup> day of March, 2000, and signed by me in open session in authentication of its passage this 6<sup>th</sup> day of March, 2000.

Margaret O'Leary  
President \_\_\_\_\_ of the City Council

Approved by me this 15<sup>th</sup> day of March, 2000.

Paul Sevel  
Mayor

Filed by me this 15<sup>th</sup> day of March, 2000.

Janith E. Pappier  
City Clerk

(Seal)



ORDINANCE \_\_\_\_\_

1  
2 AN ORDINANCE relating to land use and zoning, repealing SMC 23.60.604 (A) (2) and SMC  
3 23.60.365 (A) and (B) to prohibit the construction of new single-family dwelling units over  
4 water in the Urban Stable (US) and Conservancy Recreation (CR) shoreline environments.

5 WHEREAS, the Seattle Shoreline Master Program currently allows new single-family dwelling units to  
6 be constructed over water within the Urban Stable and Conservancy Recreation shoreline  
7 environments; and

8 WHEREAS, in 1999 the National Marine Fisheries Service listed chinook salmon and bull trout as  
9 threatened species pursuant to the Federal Endangered Species Act; and

10 WHEREAS, chinook salmon and possibly bull trout are found in the waters of the City of Seattle,  
11 including "Salmon Bay" and Lake Washington; and

12 WHEREAS, the City Council intends to take appropriate actions to protect and enhance the environment  
13 for fish and other wildlife, including in particular, the threatened chinook salmon and bull trout;  
14 and

15 WHEREAS, the construction of residences in and over the waters of Salmon Bay or Lake Washington  
16 may be harmful to fish and fish habitat, and should not be allowed; and

17 WHEREAS, the waters and shorelines of the City are a unique and scarce resource which should  
18 generally be reserved for water-dependent or water-related uses, and single-family residences  
19 may be located elsewhere in the City without the need to preclude more appropriate, water uses  
20 from the City's waters and shoreline;

21 NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

22 Section 1. SMC 23.60.604 (A) (2) is hereby repealed.

23 Section 2. SMC 23.60.365 is hereby amended to read as follows:

24 ~~The following uses may be authorized by the Director, with the concurrence of the Department~~  
~~of Ecology, as principal or accessory use, if the criteria for administrative conditional uses in WAC 173-~~  
~~27-160 are satisfied:~~

~~A. Single family dwelling units constructed partially or wholly over water and meeting the~~  
~~following conditions:~~



1 ~~1. If located on a residentially zoned and privately owned lot established in the public~~  
2 ~~records of the County or City prior to March 1, 1977 by deed, contract of sale, mortgage, platting,~~  
3 ~~property tax segregation or building permit; and~~

4 ~~2. If the lot has less than thirty (30) feet but at least fifteen (15) feet of dry land~~  
5 ~~calculated as provided for in measurements Section 23.60.956~~

6 ~~3. If the development is limited to the dry land portion of the site, to the greatest extent~~  
7 ~~possible, and particularly to the most level and stable portions of the dry land area.~~

8 ~~B. Development standards of the underlying zone applicable to the single family use in a CR~~  
9 ~~environment may be waived or modified by the Director to minimize the amount of development over~~  
10 ~~submerged lands.~~

11 ~~C. The following uses may be authorized in the CR Environment either as principal or~~  
12 ~~accessory uses, if the criteria for administrative conditional uses in WAC 173-27-160 are satisfied:~~

13 1. The following uses when associated with a public park:

- 14 a. Small craft center,  
15 b. Boat launching ramp for auto-trailer boats,  
16 c. The following non-water-dependent commercial uses:

- 17 (1) Sale of boat parts or accessories,  
18 (2) Personal and household retail sales and services, and  
19 (3) Eating and drinking establishments;

20 2. Community yacht, boat and beach clubs when:

- 21 a. No eating and drinking establishments are included in the use,  
22 b. No more than one (1) pier or float is included in the use, and  
23 c. Any accessory pier or float meets the standards of Section 23.60.204 for  
24 piers and floats accessory to residential development.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

1 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 1999, and signed by me in open  
2 session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 1999.

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\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

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Approved by me this \_\_\_\_ day of \_\_\_\_\_, 1999.

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\_\_\_\_\_  
Mayor

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Filed by me this \_\_\_\_ day of \_\_\_\_\_, 1999.

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\_\_\_\_\_  
City Clerk

12 (Seal)

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STATE OF WASHINGTON - KING COUNTY

116256

-SS.

City of Seattle, City Clerk

No. FULL ORDINAN

City of Seattle

ORDINANCE NO. 119871

AN ORDINANCE relating to land use and zoning, repealing SMC 23.60.604 (A) (2) to prohibit the construction of new single-family dwelling units over water in the Urban Stable (US) and Conservancy Recreation (CR) shoreline environments.

WHEREAS, the Seattle Shoreline Master Program currently allows new single-family dwelling units to be constructed over water within the Urban Stable and Conservancy Recreation shoreline environments; and

WHEREAS, in 1999 the National Marine Fisheries Service listed chinook salmon and bull trout as threatened species pursuant to the Federal Endangered Species Act; and

WHEREAS, chinook salmon and possibly bull trout are found in the waters of the City of Seattle, including Salmon Bay and Lake Washington; and

WHEREAS, the City Council intends to take appropriate actions to protect and enhance the environment for fish and other wildlife, including in particular the threatened chinook salmon and bull trout; and

WHEREAS, the construction of residences in and over the waters of Salmon Bay or Lake Washington may be harmful to fish and fish habitat, and should not be allowed; and

WHEREAS, the waters and shorelines of the City are a unique and scarce resource which should generally be reserved for water-dependent or water-related uses, and single-family residences may be located elsewhere in the City without the need to preclude more appropriate, water uses from the City's waters and shoreline.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. SMC 23.60.604 (A) (2) is hereby repealed.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 6th day of March, 2000, and signed by me in open session in authentication of its passage this 6th day of March, 2000.

MARGARET CARTER, President of the City Council.

Approved by me this 15th day of March, 2000.

PAUL SCHELL, Mayor.

Filed by me this 15th day of March, 2000.

(Seal) JUDITH E. PIPPIN, City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, March 27, 2000. 3/27(116256)

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:119871 ORD IN FUL

was published on

03/27/00

The amount of the fee charged for the foregoing publication is the sum of \$ , which amount has been paid in full.

Handwritten signatures and notary information including 'Subscribed and sworn to before me on 03/27/00' and 'Notary Public for the State of Washington, residing in Seattle'.