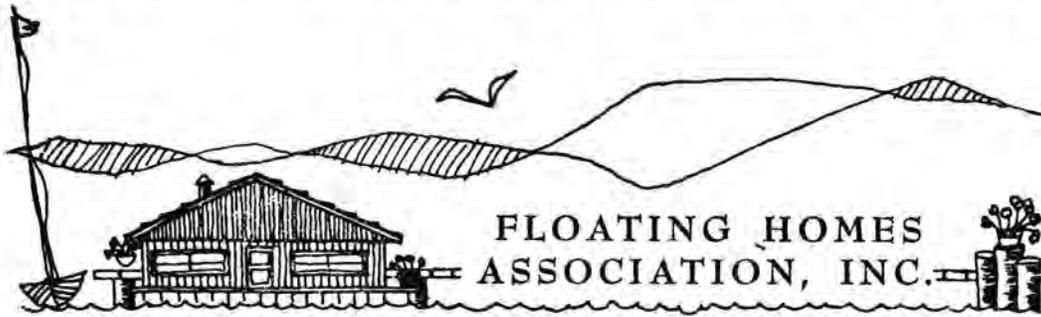


TAX "BOMB" THREATENS MARINE BUSINESSES

Fish Club



2329 Fairview East

Seattle, Washington 98102

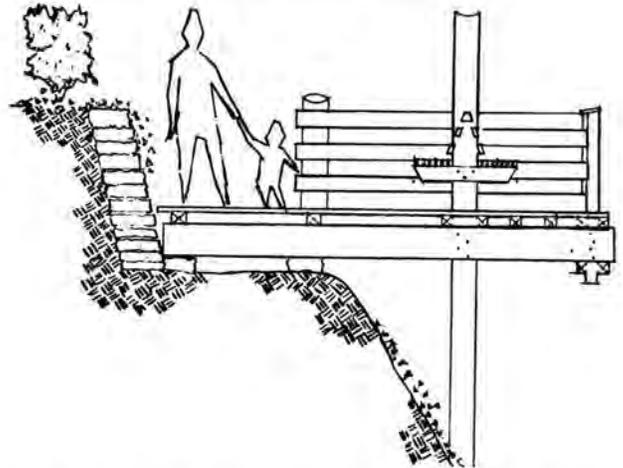
Phones: EA 5-1132 or EA 9-1517

Number 42

Newsletter

July, 1970

ARMY ENGINEERS CONSTRUCTING MONTLAKE CUT NATURE TRAIL



ABOVE (LEFT) IS ARTIST'S CONCEPT OF THE FISHING PIER TO BE BUILT ON THE EAST END OF THE MONTLAKE CUT NATURE TRAIL BEING CONSTRUCTED BY THE ARMY CORPS OF ENGINEERS. WHEN COMPLETED IN SEPTEMBER THE 1200 FOOT TRAIL WILL CONNECT THE UNIVERSITY OF WASHINGTON'S "ARBORETUM WATERFRONT TRAIL", ALONG UNION BAY, TO THE CITY PARK NEAR THE SEATTLE YACHT CLUB ON PORTAGE BAY. CUTAWAY DRAWING IS OF THE CANTILEVERED PORTION NEAR THE WEST END OF THE MONTLAKE CUT. (U. S. Army Photographs.)

‡ ‡ ‡

Come September, the public will be able to enjoy a new park-like trail, complete with plantings, observation deck, and fishing pier, along the south bank of the Lake Washington Ship Canal Montlake Cut. The trail and beautification project is being developed on federal lands, part of the canal right-of-way, by the Corps of Army Engineers in cooperation with the Seattle Garden Club. Plantings along the trail and along other portions of the canal will include evergreen and flowering trees, grassy areas, shrubs, hedges and a variety of groundcovers.

Colonel Howard L. Sargent, newly assigned Seattle District Engineer, said that great care has been taken in the design to protect the privacy of adjacent residents and to provide a park-like setting. A portion of the gravel surfaced path will be cut into the bank and shrubbery planted above the cut to screen the trail from adjacent homes, yet not block the view of the canal. The trail was one of the last projects approved by Colonel Richard E. McConnell who has been promoted to brigadier general and assigned to duty in Washington, D.C.

When completed the new trail will connect the University of Washington's "Arboretum Waterfront Trail" along Union Bay to the east to Montlake Park near the Seattle Yacht Club on Portage Bay. The design and planning of the project was coordinated with and endorsed by the City of Seattle, University of Washington, with the Seattle Garden Club as an active participant. The Garden Club also contributed plantings. The contract for the construction has been let. The completed project will be maintained by the Army Engineers as a part of its Lake Washington Ship Canal and Chittenden Locks Operations.

‡ ‡ ‡

ASSOCIATION CITES NEED FOR EMERGENCY PROTECTIVE STEPS

Immediate action by city government to protect marine activities on Lake Union from a wildly inflated tax bite, is contained in a detailed policy statement adopted by our Executive Committee July 14. The statement is in response to a questionnaire from Mr. Alvin C. Williams, Chairman of the Community Involvement Committee of the official Lake Union Advisory Commission. This body, appointed by the Mayor, is charged with drafting recommendations for the long-range development of the shorelands. The full text follows. Comments are invited.

‡ ‡

Over the years our Association has often outlined a general position that the preservation, improvement and expansion of the lake's unique marine environment would be in the long range interests of both the public and the private property owners.

We now believe that an emergency exists. We believe that the time is overdue for all parties, public and private, to fact up to two realities. One: The State Supreme Court decision (recently reaffirmed) which casts a cloud of illegality over

fills and construction over navigable waters. Two: The expanded jurisdiction of the U.S. Corps of Engineers, who now require a permit for any construction from the water's edge even though on private property.

Therefore, we respectfully suggest that the City government and the Lake Union Advisory Commission recognize this emergency by establishing some action priorities.

As a first step we believe that the City government should immediately adopt a Conditional Use Permit Ordinance, with proper criteria, covering all Manufacturing and Commercial General Shoreland lots in the city. This will permit compatible developments while protecting the Lake until more detailed zoning and performance standards are adopted.

We suggest that the Lake Union Advisory Commission should have as its first order of business the carrying out of the instruction in Resolution No. 21999 of: "Advising the city regarding appropriate zoning for the properties adjacent to and over Lake Union". We do not see how meaningful action can be taken on the many other problems until this basic decision is made.

We believe such zoning should reflect the historic development of the Lake as a marine center and protect it from further destruction by such alien, incompatible and interloping uses as the high-rise commercial and residential structures which have invaded the area only in the past two years. We suggest that these zones should be "Manufacturing Lake Waterfront", "Commercial Lake Waterfront" and "Residential Lake Waterfront". These zones to apply to Lake Union and Lake Washington. We believe it unrealistic and against the public interest to try to fit the downtown waterfront and these Lake Shorelands into the same rigid zoning mold.

We believe that more than enough information is at hand, or soon can be made available, for the Commission to begin work on the areas to be covered by the zones listed above. This done the Commission can then proceed to another instruction in the City Council Resolution which is: "Recommending such aesthetic, environmental, and design principles and policies that it considers appropriate and advantageous in guiding the development of Lake Union".

We have said that an emergency exists. Although some property owners seem to be unaware of it, only quick action can prevent the Lake from being zoned by taxation. The legal truism that "The power to tax is the power to destroy" certainly applies to many of the water-requiring businesses now on the Lake. As you know the County Assessor must complete the re-evaluation and reassessment of all real property by May, 1971. Also by law the Assessor must assess taxes on the basis of "true market value" and "highest and best use". Lake Union Shorelands have not been reassessed since 1962. While there has been a normal increase in property values over the past eight years the recent sale of property for the erection of high-rise commercial and residential structures has created an abnormal situation that could deal a grave and even fatal economic blow to owners who need their property to stay in the marine business.

A spot check of County tax records shows that properties in the present Manufacturing Zone are generally paying taxes on an assessed valuation (presumably 25% of true market value) of 40 cents per square foot for the first 100 feet offshore and 20 cents per square foot for the remainder. In the Commercial General Zone the present assessments range from 35 to 40 cents per square foot for the first 100 feet offshore and 12½ cents per square foot for the remainder.

The Assessor has no alternative but to comply with the law. This means that the sale of land for the erection of a high-rise structure will be the "true market value" and that this will be the criteria for arriving at the "highest and best use" in the particular zone. Unless some protective ceiling is placed defining the "highest and best use" consistent with the present predominate character of the Lake, these many water-needing uses, particularly those in the boating industry, will be confronted with tax increases that could drive them to the wall. A recent survey shows that there are more than 2,000 persons employed around the perimeter of Lake Union. We can only guess how many of these jobs will survive such an artificial inflation of the tax bite.

While the future of land use around the Lake remains uncertain we also believe that the County Assessor should at least be asked to delay reassessment until the latest possible legal date.

There is not much time to take affirmative action. The contract for the reassessment has been let.

Now as to your specific questions:

I

"What should be the primary use of the Lake and adjacent shorelands? Residential, commercial, recreational, industrial, mixture of uses?"

We believe the zoning suggested above would provide the needed mixture of uses requiring the water. Uses not needing the water should and can be best located elsewhere.

II

"What other uses should be permitted or not permitted?"

We believe there are many secondary uses that are compatible with the basic water-needing installation such as restaurants, shops, etc. with a relationship to the water. In general we believe the criteria proposed in the Conditional Use Ordinance to encourage "uses that contribute to the life and vitality of the area," would be a good one to follow.

III

"Should more or less waterfront be in public ownership?"

Presently enough (one-third) of the Lake Union waterfront is now under public ownership but certainly not enough is in public use. The 33 Street Waterways and the 19 larger State Waterways are a case in point. It has often been pointed out that the Lake suffers from "Balkanization" - the many governmental agencies having some degree of jurisdiction. We believe some order could be brought out of the present governmental hodge-podge by centering as much authority as possible under our municipal government - probably the Department of Community Development.

Would it not be possible for the City to become the authorized agent of the State Department of Natural Resources for the development and use of the State Waterways? Our Planning & Design Committee has prepared some design concepts which have been shown to your Commission and which have attracted considerable public attention. These waterways and adjacent shorelands could be developed, at relatively little cost, in a variety of ways so that public ownership could be translated into public use.

This raises the question of the "incentives" the City could and should offer property owners to use their property for water-requiring purposes. Traditionally along Westlake Avenue and Fairview Avenue East, in particular, city land not used

for vehicular purposes, has been considered as "off street" parking through street use permits. This is highly desirable. The only alternative is to build parking platforms over the water. We believe that this de facto practice should be formally legalized. Perhaps reasonable rental fees could be levied for the use of this space with the proceeds earmarked for shoreland development.

Also, many marine users are economically dependent upon the adjacent state land which the abutting property owner has been able to obtain through leases granted by the State Department of Natural Resources. At present the Port of Seattle is the leasing agent and retains 75% of the fees paid. Why should not the City have this authority with this income also going into a fund for Lake improvements? It seems to us that there are but two alternatives - floating structures, boats, piers, etc. out over the water or high-rise structures inshore. Construction of towers, with set-backs to preserve "view" creates more problems than they solve. Such structures require the paving of the lake to provide foundations and parking lots. Inevitably this means the destruction of the marine environment.

We can all deplore the fact that the Lake, over the years, has shrunk. This is not to be wondered at as the City not only permitted but encouraged massive land fills as late as 1963. The problem is to save what is left of the lake. This can be done by freezing (with possible minor adjustments) the present Construction Limit Line and the establishment of Harbor Lines to conform. This could preserve what is left of the water surface. Floating structures and piers, unlike buildings, are in a sense "temporary". When they are removed the Lake is intact.

IV

"Are houseboats a unique characteristic of Seattle living to be preserved and encouraged or perhaps should they be limited or phased out?"

Of course floating homes (houseboats) should be encouraged. If the past has taught us anything it has shown that people are necessary for any area to "have life and vitality." Floating homes furnish the right balance of residential density to the Lake's shorelands. Floating homes have long been a part of Seattle's history and are one of the few living links with the past. They are one of the very few things that sets Seattle apart from being just another urban area. Also Seattle is fortunate in that it is one of the very few places in the U.S. which can offer this attractive diversity in housing.

The "San Francisco Bay Plan" is the most recent and detailed study of shoreland uses. We commend it to the attention of the Lake Union Commission and the Department of Community Development. In respect to floating homes it says in part:

"Another water oriented type of housing that causes minimum damage to the environment is the houseboat Houseboat living is an attractive way of life in many water oriented areas On San Francisco Bay individual houseboats might be feasible in some areas where they could be connected to needed services. Or they could be clustered in houseboat "neighborhoods", such clusters could constitute a complete community or could be a special part of a new marina or could even be integrated with more conventional waterfront developments."

The "needed services", sewers, water and power, are available to all areas of Lake Union and Portage Bay. Seattle is the first city in the country where floating homes have connected to sewers. They should be a permitted use outright in the proposed and (we hope) greatly expanded "Commercial Lake Waterfront" and the "Residential Lake Waterfront" and a conditional use in the "Manufacturing Lake Waterfront" zones. Floating homes enhance their environment. They do not destroy it.

V

"Should more stringent controls be placed on construction along the Lake such as height, bulk and set-back limits?"

Certainly. Fixed structures should be permitted only on the land portion of shoreland lots. It is a sad situation indeed that on Fairview Avenue East, between Newton and Roanoke Streets, the shoreland property zoned "Commercial General" permitted an over-loaded, high-rise apartment house and still permits high-rise office buildings (with no side yard set backs) while the adjacent upland property is restricted to low density. How can anyone be complacent about the fact that the projected Myrtle Edwards Park on the gas plant site is completely surrounded by property zoned "Manufacturing." Tall factories and/or office buildings could wall off the park and all of Northlake Way from the adjacent Wallingford area.

We believe that some attention should be paid to the capacity of the small, eight-inch lateral sewer installed around the lake by a Local Improvement District. Just how many more high-density structures can this little line serve without greatly increasing water pollution through its over-flow lines projecting out into the Lake? Already there are indications in two areas that some of the 13 such over-flow lines are carrying raw sewage back into the water.

We agree with the conclusion in the "San Francisco Bay Plan" that said the Bay "is an irreplaceable gift of nature that man can either abuse and ultimately destroy - or improve and protect for future generations. The most important uses of the Bay are those providing substantial public benefits and treating the Bay as a body of water, and not as real estate." We think the same approach should be applied to our own shorelands.

VI

"How should development of Lake Union rate in the City's priorities for capital improvement expenditures? Is it more or less important than other areas of the City?"

The economic situation being what it is we do not see any substantial amount of city funds being made available even for such necessities as a Fire Boat. However, we note that for outdoor recreational purposes that federal and state matching funds (75%) are being made available to cities. Could not some attention be focused on such projects involving our many State and City Waterways which have suffered so long from a policy of massive neglect? Fortunately the Myrtle Edwards Park is funded.

With proper zoning, which would protect investment in water-requiring activities, we believe private enterprise will and can do much to improve the lake and provide the many public services so necessary to "the boating capitol of the world." Given security we believe the residents of the Lake could do much, in cooperation with the City and civic groups, in developing mini-parks, view points, and other amenities at very little cost.

VII

"Are there specific areas of the Lake that might require special consideration?"

All areas of the Lake would benefit from "the careful and proper zoning" called for by the State Supreme Court in the Lake Chelan case. The community is paying a bitter price for the mechanical application of shoreside zoning to the water. We reject the notion, prevalent in some quarters, that Lake Union is a "blighted area" needing massive infusions of public funds in some form of "Urban Renewal." We think Laurie Fish (Seattle Times 12/3/67) painted an accurate and sensitive word picture of the Lake when she wrote that it "has a shoreline that would take days to explore" and that it is a "dynamic composite entity made up of thousands of persons who work, live and play on its shores and waters."

We note with interest plans for a "series of public symposiums" to explore suggestions which would lead to a "set of generalized goals". We believe, however, that we should heed the warning of Commission Chairman Winston D. Brown that the Lake is "a unique and perishable asset of the entire City". We submit that some protective steps must be taken now. Otherwise tax levies, not planning, will determine the future of the shorelands. Time is running out. The fuse to the "tax bomb" is burning.

LAKE UNION SURVEY REPORT MEETING SET FOR AUGUST 4

An illustrated report on the first comprehensive "community" survey made of the shorelands of Lake Union and Portage Bay, will be given Tuesday, August 4th at 7:30 p.m. in the auditorium of the Seattle School Administration Bldg. 815 4th Ave. N. The report will be given by Daniel W. Shannon, consultant with the University of Washington's Bureau of Community Development which directed the survey. The survey was sponsored by the Lake Union Association with the cooperation of the Floating Homes Association.

Committees from the two associations worked with the Bureau of Community Development for a year preparing the in-depth questionnaire. The survey was taken by personal interviews of all residents, property owners and businesses around the perimeter of the Lake. Mr. Shannon said that the percentage of responses to the survey is the highest of any made by the Bureau. All interested persons are invited. There is ample parking.

OFFICERS RE-ELECTED AT EIGHTH ANNUAL BUSINESS MEETING

All titled officers were re-elected at the eighth annual business meeting of the Association on May 15th in the Blue Flame Room of the Seattle Gas Co. Bldg. They are: Clara Kennedy, president; John Southern, vice-president and Esther Carhart, recording secretary. Members, with only three dissenting, voted by secret ballot to increase annual household dues from \$10.00 to \$12.00. Associate (non-voting) membership dues were increased from \$5.00 to \$6.00.

Two new members of the Executive Committee were elected. They are Carlisle King, 2207 Fairview E. and Todd Warmington, 2339 Fairview E. The positions of Treasurer and Administrative Secretary, now held respectively by Verna Cameron and Terry Pettus are filled by the Executive Committee. Other members of the Executive Committee are, Mrs. Gladys Mattson, Kenneth Kennedy, Richard Wagner, James Donnette, Robert Goodwin and George Levin.

Highlight of the meeting was the adoption of a policy statement and a discussion of the Myrtle Edwards Park (on the gas plant site) by Richard Haag, landscape architect employed by the Park Department to design the waterfront facility. Mr. Haag is founder and Chairman of the Department of Landscape Architecture at the University of Washington. The city will acquire title to the 18-acre site on Jan. 1, 1972. Development funds are available through the Forward Thrust bond issue approved by the voters in 1968.

FLOATING HOMES HAVE LOW FIRE RECORD OVER 5 YEAR PERIOD

While fire losses in Seattle general have been mounting in recent years, the incidents of fires at floating homes have continued to decline, according to official statistics kept by the Seattle Fire Department. For the past five years the Department has segregated floating home fire calls from other residential fires. Following is a breakdown:

CAUSE	1965	1966	1967	1968	1969	TOTAL
Smoking	3	3		1		7
Food on stove	1	1				2
Illegal burning (outside)	1					1
Defective electric heater	1		1			2
Defective wiring		1		1		2
Overheated oil heater	1			1		2
Sparks on roof	1	1				2
Improper smoke stack		1	2	1		4
Embers from another fire			1			1
Sparks from barbecue			1			1
Ornamental candle				1	1	2
Thawing water pipes				1		1
TOTAL	8	7	5	6	1	27

Of these fires 17 caused damages from nothing to less than \$100; seven had damages from \$100 to less than \$500 and the remaining had damages estimated at \$850.00, \$1,175.00 and \$3,500.00.

FLOATING HOMES ASSOCIATION
2329 FAIRVIEW AVENUE EAST
SEATTLE, WASHINGTON 98102



RETURNED TO SENDER ADDRESS