

33.900s General Terms

900s

Sections Amended:

33.900.010 List of Terms

33.910 Definitions

Commentary

33.900.010 List of Terms and 33.910 Definitions

Both the List of Terms and Definitions and have been updated to include the following:

Bulkhead: This term is not defined in the Zoning Code.

Dredge Material: This term is not defined in the Zoning Code.

Ordinary High Water Mark: This term is used in several chapters of the Zoning Code and currently the code does not provide a definition. There are several different understandings of how to identify this mark. The definition included here is the definition that the U.S. Army Corps of Engineers uses and requires that the location of the mark be determined in the field.

Top of Bank: The existing definition of top of bank is problematic when the shoreline is variable. The definition has been clarified and a section has been added to 33.930 describing how to measure top of bank. This new definition would apply water bodies throughout the city. The change from degrees to percent slope makes this language more consistent with other code chapters, which refer to percent slope.

The definition is intended to identify the plateau of the river/stream bank. If the slope of the bank decreases by 10% and then decreases by 15%, where it stays steady, then the location at which the slope decreased by 15% is the top of bank. If the slope of the bank decreases by 5% and then by 10%, where it stays steady, then the location at which the slope decreases by 10% is the top of bank. If there is no decrease in slope 10% or greater within 50 feet of the ordinary high water mark, then a default top of bank is applied.

Other existing terms and definitions are not shown.

Please also review minor amendments to 33.930 Measurements.

33. 900.010 List of Terms

The following terms are defined in Chapter 33.910, Definitions, unless indicated otherwise.

Bulkhead

Dredge Material

Ordinary High Water Mark

33. 910.030 Definitions

Bulkhead. A retaining wall along a waterfront

Dredge Material. Rock, gravel, sand, silt and other inorganic substances removed from waters of the state.

Ordinary High Water Mark. The line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.³

Top of Bank. The ~~largest decrease in slope that is 10 percent or greater~~~~first major change in the slope of the incline from~~~~between~~ the ordinary high water mark~~level~~ of a water body and a point 50 feet landward from the ordinary high water mark. See Section 33.930.150, Measuring Top of Bank. ~~A major change is a change of ten degrees or more.~~ If there is no ~~decrease in slope that is 10 percent or greater~~~~major change~~ within a distance of 50 feet from the ordinary high water mark~~level~~, then the top of bank will be the ~~default location described in Section 33.930.150, Measuring Top of Bank~~~~elevation 2 feet above the ordinary high water level.~~

