

~~Amended By Ordinance No. 2706~~

ORDINANCE NO. 2311

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AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE FEES TO BE PAID TO THE CITY FOR PROCESSING APPLICATIONS FOR DEVELOPMENT PERMITS, REZONES, VARIANCES AND SUBDIVISIONS INCLUDING COST OF ENVIRONMENTAL IMPACT STATEMENT WHERE REQUIRED, AND REPEALING SECTION 23.64.040 OF ORDINANCE NO. 2183 AND SECTIONS 2.7.1 AND 2.7.3 OF ORDINANCE 2178.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Application not to be accepted without payment of fee:

No application for development permit, rezone, variance or subdivision, formal or informal, shall be accepted for filing until all fees or deposits as established in this Ordinance have been paid to the City of Kirkland.

Section 2. Definitions:

A. Single Family residential fees shall apply only to an application made by the owner of property zoned single family residential:

(i) Upon which the applicant resides at the time of making the application, and

(ii) The action or permit applied for will not change the existing and primary single family use of the property, and

(iii) The total contiguous property ownership of the applicant does not exceed 20,000 square feet in area, exclusive of such portion thereof as may be submerged by the water of Lake Washington as to property abutting on Lake Washington.

B. Development Permit shall include Conditional Use Permit, Unclassified Use Permit, Planned Unit Development and Substantial Development Permit.

C. Acre shall mean acre or any fraction of an acre.

Section 3. Environmental Impact Statement, delineation of estimated cost, deposit required, applicant to pay for cost of preparation:

Whenever a positive declaration on an application is reached requiring preparation and circulation of an Environmental Impact Statement, the Department of Community Development and the applicant shall meet in pre-conference to estimate the anticipated cost of the Environmental Impact Statement and determine the amount required to be deposited with the City of Kirkland to cover said cost.

The applicant shall deposit such amount with the City at the time of payment of all other required application fees.

In the event the deposited amount exceed the actual cost of preparation of the Environmental Impact Statement, such excess shall be refunded to the applicant. In the event the actual cost exceeds the deposit, such excess shall be paid to the City by the applicant prior to final action by the City.

No deposit so required shall be in an amount less than \$500.

For the purposes of this Section, cost of an Environmental Impact Statement shall include the cost of preparation, publication, including printing, collating, binding and circulation of the preliminary and final Environmental Impact Statements, and all such costs shall be born by the applicant. Cost of preparation shall include all required City staff time, as well as retained professional or technical services. The City shall establish a staff time billing rate for such City employees which will accurately reflect the actual cost to the City of such employee's time.

Section 4. Fee Schedule established: Fees required to be paid to the City of Kirkland pursuant to this Ordinance are hereby established as follows:

- A. Rezone - Single Family Residential: \$100.
- B. Rezone - all other: \$200 plus \$10. per acre of area sought to be rezoned.
- C. Conditional Use Permit - Single Family Residential: \$50.
- D. Conditional Use Permit - other: \$150.plus \$10. per acre of area subject to the application.

- E. Unclassified Use Permit - Single Family Residential: \$100.
- F. Unclassified Use Permit - all other: \$200. plus \$10. per acre of area, subject to the application.
- G. Planned Unit Development - Preliminary: \$200. plus \$20. per acre of area, subject to the application.
- H. Planned Unit Development - Final: \$200. plus \$20. per acre of area, subject to the application.
- I. Subdivisions - Preliminary: \$200. plus \$20 per proposed lot.
- J. Subdivision - Final: \$200. plus \$20. per proposed lot.
- K. Subdivision - Informal (short) - Single Family: \$50.
- L. Subdivision - Informal (short) - All other: \$50 per lot proposed, but not to exceed \$100.
- M. Subdivision - Minor Modification: \$50.
- N. Substantial Development Permit - Single Family Residential: \$50.
- O. Substantial Development Permit - all others: \$200. plus \$10. per acre of area, subject to the application.
- P. Variance - Single Family Residential: \$25.
- Q. Variance - all other: \$100.
- R. Environmental Impact Statement: as established in Section 3.

Section 5. Fees not refundable:

No portion of any fee required to be paid pursuant to this Ordinance shall be refunded or refundable, provided that a fee may be refunded where a refund request is made to the City prior to any processing or review of the application by the administrative staff of the City.

Section 6. Special provision relating to Substantial Development Permit only:

Whenever a Substantial Development Permit is required in conjunction with a Conditional Use Permit, or a Planned United Development, only the higher fee of the two concurrent development permits shall be paid. In all other instances, applications requiring or requesting multiple development permits or actions shall require payment of all applicable fees.

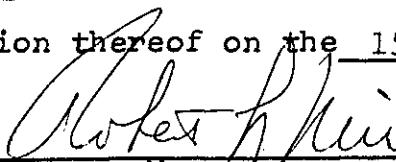
Section 7. Section 23.64.040 of Ordinance No. 2183 and Sections 2.7.1, 2.7.3 and 3.3 of Ordinance No. 2178 are each hereby repealed.

Section 8. If any Section, Subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance.

Section 9. This Ordinance shall be in force and take effect five days from and after its passage and publication as required by law.

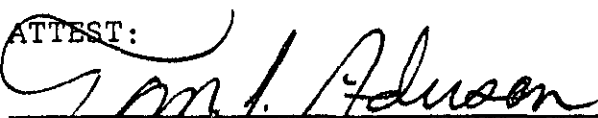
PASSED by the Kirkland City Council in regular meeting on the 15th day of March, 1976.

SIGNED in authentication thereof on the 15th day of March, 1976.




Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:



City Attorney

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