

ORDINANCE NO. 2390

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND DEVELOPMENT AND AMENDING SECTIONS 23.12.040; 23.13.040; 23.32.090 OF ORDINANCE NO. 2183 AS AMENDED, THE KIRKLAND ZONING CODE.

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

Section 1. Section 23.12.040 of Ordinance No. 2183 be and it hereby is amended to read as follows:

"21.12.040 Waterfront use - Specific conditions and provisions:

The [following] uses set forth in Section 23.12.041 through 23.12.045, inclusive, may be permitted under a conditional use or planned unit development and subject to all conditions and/or provisions of this district[-]; provided, however, that the following developments may be exempt from the conditional use permit procedures of Chapter 23.56, Ordinance No. 2183, if:

A. Piers:

1. Piers may be exempt from the CUP procedures if:

a) The pier designed for pleasure craft only is for the exclusive use of the occupant or guests of a single family structure located on the lot on which the pier is proposed;

b. The length of the pier does not:

(1) Extend more than 100 feet from the high water line, or

(2) Exceed a length which would provide a draft of six feet measured at the end of the pier and from the high water line,

whichever is less;

2. The pier shall be subject to other applicable requirements as established for the waterfront district or in the Shoreline Master Program, whichever is more restrictive.

B. Bulkheads:

1. Work on existing bulkheads may be exempt from the CUP procedure, if:
 - a) The construction is normal repair or maintenance, including damage by accident or the elements, or
 - b) For emergency construction necessary to protect property from damage by the elements, and
 - c) The proposed work does not extend waterward of the high water line;
2. New bulkheads may be exempt from the CUP procedure if the bulkhead does not extend waterward of the high water line;
3. The bulkhead shall be subject to other applicable requirements as defined in waterfront districts, other applicable city ordinances, or in the Shoreline Master Program, whichever is more restrictive.

C. Multifamily structures in Waterfront District I:

1. New multifamily structures may be exempt from CUP procedures subject to conforming to the conditions and standards for multifamily structures within Waterfront District I and all other applicable ordinances and codes of the City of Kirkland as well as the applicable requirements in the Shoreline Master Program.
2. The remodelling of a multifamily structure may be exempt from the CUP procedures provided there is no change to the exterior dimensions of the structure and the number of dwelling units is not increased. The remodelling shall be subject to the conditions and regulations for multifamily structures within Waterfront District I and all other applicable codes and ordinances of the City of Kirkland as well as applicable requirements of the Shoreline Master Program."

Section 2. Section 23.13.040 of Ordinance No. 2183 of the Kirkland Zoning Code is hereby amended to read as follows:

"23.13.040 Waterfront uses - specific conditions and provisions.

The [following] uses set forth in Sections 23.13.041 through 23.042, inclusive, may be permitted under Ord. 2390

under a conditional use permit or planned unit development and subject to all conditions and/or provisions for this district[?]; provided, however, that the following uses or developments may be exempt from the conditional use permit procedures of Chapter 23.56, Ordinance No. 2183, if:

A. Piers:

1. Piers may be exempt from the CUP procedures if:

- a) The Pier designed for pleasure craft only is for the exclusive use of the occupant or guests of a single family structure located on the lot on which the pier is proposed;
- b) The length of the pier does not:
 - (1) Extend more than 100 feet from the high water line, or
 - (2) Exceed a length which would provide a draft of six feet measured at the end of the pier and from the high water line,

whichever is less;

2. The pier shall be subject to other applicable requirements as established for the waterfront district or in the Shoreline Master Program, whichever is more restrictive.

B. Bulkheads:

1. Work on existing bulkheads may be exempt from the CUP procedure, if:

- a) The construction is normal repair or maintenance, including damage by accident or the elements, or
- b) For emergency construction necessary to protect property from damage by the elements, and
- c) The proposed work does not extend waterward of the high water line;

2. New bulkheads may be exempt from the CUP procedure if the bulkhead does not extend waterward of the high water line;

3. The bulkhead shall be subject to other applicable requirements as defined in waterfront districts, other applicable city ordinances, or in the Shoreline Master Program, whichever is more restrictive."

Section 3. Section 23.32.090 of Ordinance No. 2183, the Kirkland Municipal Code, is hereby amended to read as follows:

"23.32.090 Signs requiring conditional use permits:

- (1) In RS, RM and for residential uses in PR zones, free [Free] standing signs when over ten (10') square feet in area or over six (6') feet in height as measured from grade shall require a conditional use permit.
- (2) In other zones, free standing signs when over thirty (30') square feet in area or seventeen (17') feet in height as measured from grade shall require a conditional use permit."

Section 4. To the extent that the subject matter and provisions of this Ordinance are within the disapproval jurisdiction of the Houghton Community Council, as created by Ordinance No. 2001, this Ordinance shall become effective within the Houghton Community either upon approval of the Houghton Community Council or failure of said Community Council to disapprove within sixty (60) days from the date of passage of this Ordinance.

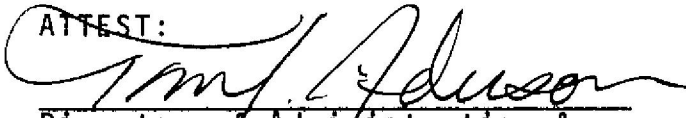
Section 5. Except as provided in Section 4, this Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL in regular meeting on the 1st day of May, 1978.


SIGNED IN AUTHENTICATION thereof on the 1st day of May, 1978.


MAYOR

ATTEST:


Director of Administration &
Finance
(ex officio City Clerk)

APPROVED:


City Attorney

Ord. 2390