

ORDINANCE NO. 2432

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUILDING HEIGHT IN WATERFRONT DISTRICT I AND AMENDING SECTION 23.12.056(b) OF ORDINANCE 2183, AS AMENDED.

WHEREAS, the City of Kirkland Shoreline Master Program specifies use regulations for building height in shoreline areas; and

WHEREAS, Section 23.12.056(b) of Ordinance 2183, as amended, does not conform to these use regulations for building height; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made pursuant to the requirements of the State Environmental Policy Act (RCW 43.21c; WAC 197-10; and Kirkland Ordinance No. 2319). This Checklist and Declaration of Non-Significance were available to the Development Code Commission at the public hearing held on this issue. The Development Code Commission considered this information in formulating its recommendation to City Council, and City Council considered this information in taking final action on this recommendation.

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

Section 1. Section 23.12.056(b) of Ordinance 2183, as amended, is amended by addition of a new paragraph to read as follows:

(2) Building Height in Shoreline Areas.

(a) General: Subject to the provisions of paragraph (2)(b) of this Section, permitted structures in shoreline areas may not exceed a height of thirty-five (35) feet above the average building elevation.

(b) Exception: The building height limitation of paragraph (2)(a) of this Section may be exceeded by a small percentage, not to exceed six (6) feet, for spires, belfries, antennas, ventilators, chimneys, elevator towers, or other appurtenances usually required to be placed above roof level and not intended for human occupancy if --

1. Public access is available at the time of occupancy, and
2. Suitable recreational amenities are provided, and
3. Other relevant factors are considered.

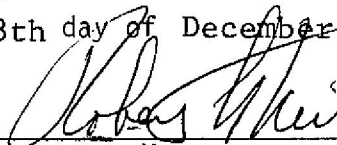
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. 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 4. Except as provided in Section 3, 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 18th day of December, 1978.

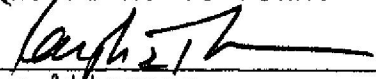
SIGNED IN AUTHENTICATION thereof on the 18th day of December, 1978.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

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