

ORDINANCE NO. 2433

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUILDING HEIGHT, AMENDING SECTION 23.08.100 OF ORDINANCE 2183, AS AMENDED.

WHEREAS, it is desirable that lot shape and topography be considered among the factors used to determine the maximum allowable building height in a Single Family Dwelling Zone; 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 23.08.100 of Ordinance 2183, as amended, is amended to read as follows:

~~-Permitted-structures-shall-not-exceed-two-stories-or-a-height of-twenty-five-(25)-feet, and-in-no-event-shall-a-permitted structure-exceed-a-height-of-twenty-five-(25)-feet-above-the average-elevation-of-a-curbline-or-the-average-centerline elevation-of-the-abutting-right-of-way-providing-access, if no-curbs-exist,~~

A permitted structure --

- a) Shall not exceed two (2) stories; and
- b) Shall not exceed twenty-five (25) feet above the average building elevation; and
- c) Shall not exceed the higher of --
 1. twenty-five (25) feet above the average lot elevation; or
 2. twenty-five (25) feet above the average elevation of the curbline or, if no curb exists, twenty-five (25) feet above the average centerline elevation of the abutting right-of-way providing access.

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 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

Ord. 2433