

ORDINANCE NO. 2505

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND DEVELOPMENT AND AMENDING SECTIONS 23.54.050 AND 23.54.060 OF ORDINANCE 2183, THE KIRKLAND ZONING ORDINANCE.

WHEREAS, the Kirkland Development Code Commission has heretofore, pursuant to RCW Chapter 35A.63, held public hearing on proposed amendments to Sections 23.54.050 and 23.54.060 (relating to certain bonding provisions) of Ordinance No. 2183, the Kirkland Zoning Ordinance, and recommended such amendments to the City Council, Now, Therefore

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

Section 1. Section 23.54.050 of Ordinance 2183, the Kirkland Zoning Ordinance, be and it hereby is amended to read as follows:

"~~Performance-Bond:~~ Security Device: The ~~Planning Department~~ Department of Community Development may ~~authorize~~ recommend the issuance of a temporary Certificate of Occupancy Permit conditioned upon the subsequent completion or satisfaction of unfulfilled requirements or regulations, or uncompleted development proposals. A condition for issuance of such temporary ~~permit~~ certificate shall be the posting with the City of a ~~performance-bond~~ security device to insure fulfillment of all conditions to which such ~~permit~~ certificate is subject. The condition ~~to which such temporary occupancy permit is subject~~ shall be listed upon the ~~permit~~ certificate or attached thereto. No ~~Occupancy-Permit~~ or Certificate of Occupancy shall be issued except as hereinabove provided. ~~No occupancy permit shall be issued until all such conditions are satisfied.~~ If the conditions are not satisfied within one year or less excepting for maintenance agreement which may not exceed two years, from the date of the deadline specified in the temporary Occupancy Permit, demand shall be made by the City against the ~~bond~~ security device for completion and performance. Prior to such demand being given, the ~~Planning Director~~ of Community Development shall give ~~ample~~ seven days written notice to the person or persons involved."

Section 2. Section 23.54.060 of Ordinance 2183, the Kirkland Zoning Ordinance, be and it hereby is amended to read as follows:

"Amount-of-Bond: Amount of Security Device: The Performance-Bond Security Device shall be in a form acceptable to the City Attorney, and represent a proportion-of-the-fair-cost-estimate-of-the-proposed development-or-improvement-as-determined-by-the-Director of-Public-Works-according-to-the-following-schedule: A Security Device for performance shall be 100% of the fair cost estimate at the time of completion as determined by the City. A Security Device for maintenance will represent 30% of the fair cost estimate, unless otherwise specified by the Director of the Department of Community Development.

<u>Fair-Cost-Estimate</u>	<u>Amount-of-Bond</u>
Up-to-\$5,000	100%-of-Estimate
\$5,000-to-\$10,000	75%-of-Estimate
\$10,000-to-\$25,000	60%-of-Estimate
\$25,000-and-over	40%-of-Estimate"

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 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 17th day of December, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 17th day of December, 1979.



MAYOR

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:



City Attorney

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