

ORDINANCE NO. 2523

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE PROCESSING OF APPLICATIONS FOR SINGLE FAMILY DWELLING UNITS IN WATERFRONT DISTRICT I AND WATERFRONT DISTRICT II AND AMENDING CHAPTERS 23.12 AND 23.13 OF ORDINANCE 2183 AS AMENDED.

WHEREAS, the Development Review Committee presently has authority to review and decide upon applications for certain uses and structures within Waterfront District I and Waterfront District II of the City, and

WHEREAS, the City Council has concluded that it would be in the best interests of the City for the Development Review Committee to also have authority to review and decide upon applications for single family dwelling units in Waterfront District I and Waterfront District II, and

WHEREAS, this amendment is categorically exempt from the provisions of the State Environmental Policies Act under Section 197-10-070(11) of the Washington Administrative Code, now, therefore,

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

Section 1. Section 23.12.090 of Ordinance 2183 as amended is amended to read as follows:

Section 23.12.090 Conditional Use Permit

1. General . Refer to Section 23.56 (conditional Use Permits) of the Zoning Ordinance, except for Section 23.56.060 which is not applicable to the Districts.
2. Exceptions - Certain applications to be heard by the Development Review Committee

a. General

The Development Review Committee is authorized to hear and decide upon an application for a Conditional Use Permit for a single family dwelling unit if all of the following requirements are met:

- (1) The dwelling unit will not be higher than thirty (30) feet over average building elevation.
- (2) The dwelling unit will be the only dwelling unit on a lot that is at least 7200 square feet.

(3) The dwelling unit strictly conforms to all of the CUP provisions of this Chapter that apply to single family dwelling units and all other applicable provisions of law.

(4) The dwelling unit is not part of a project or development that the Development Review Committee does not have authority to hear and decide upon.

b. Procedures and Criteria

The Development Review Committee shall use the procedures established in Section 6 of Ordinance 2386 as amended and the applicable provision of this Chapter to hear and decide upon applications for single family dwelling unit within its jurisdiction.

c. Applications not within the jurisdiction of the Development Review Committee

An application for a single family dwelling unit that is not within the jurisdiction of the Development Review Committee will be heard and decided upon as established in Paragraph 1 of this Section.

Section 2 Section 23.13.063 of Ordinance 2183 as amended is amended to read as follows:

Section 23.13.063 Conditional Use Permit

1. General. Refer to Section 23.56 (Conditional Use Permits) of the Zoning Ordinance, except for Section 23.56.060 which is not applicable to the Districts.

2. Exceptions - Certain applications to be heard by the Development Review Committee

a. General

The Development Review Committee is authorized to hear and decide upon an application for a Conditional Use Permit for a single family dwelling unit if all of the following requirements are met:

(1) The dwelling unit will not be higher than Twenty-five (25) feet over average building elevation.

- (2) The dwelling unit will be the only dwelling unit on a lot that is at least 12,500 square feet.
- (3) The dwelling unit strictly conforms to all of the CUP provisions of this Chapter that apply to single family dwelling units and all other applicable provisions of law.
- (4) The dwelling unit is not part of a project or development that the Development Review Committee does not have authority to hear and decide upon.

b. Procedure and Criteria

The Development Review Committee shall use the procedures established in Section 6 of Ordinance 2386 as amended and the applicable provision of this Chapter to hear and decide upon applications for single family dwelling units within its jurisdiction.

c. Applications not within the jurisdiction of the Development Review Committee

An application for a single family dwelling unit that is not within the jurisdiction of the Development Review Committee will be heard and decided upon as established in Paragraph 1 of this Section.

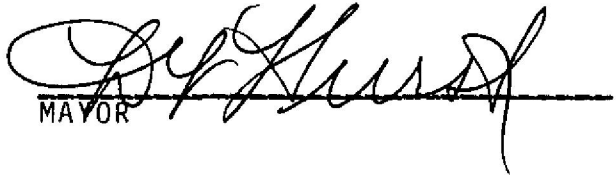
Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance.

Section 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 that Community Council to disapprove within sixty (60) days from the date of passage of this Ordinance.

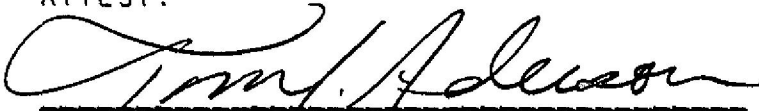
Section 5. Except as provided in Section 4, this Ordinance shall be in full force and effect five (5) days from and after its passage and publication as required by law.

PASSED BY MAJORITY VOTE of the Kirkland City Council in regular meeting held on the 7th day of April, 1980.

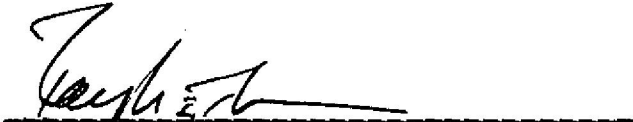
SIGNED IN AUTHENTICATION thereof on the 7th day of April, 1980.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

0885A