

ORDINANCE NO. 2706

AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE FEES AND OTHER CHARGES TO BE PAID TO THE CITY FOR PROCESSING CERTAIN DEVELOPMENT APPLICATIONS; AND AMENDING ORDINANCE 2311, AS AMENDED.

WHEREAS, it is appropriate that the reasonable cost of processing development applications be borne by the person requesting action on the part of the City,

WHEREAS, the City has adopted a new Zoning Code which, to some extent, changes the process used by the City.

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

Section 1. Ordinance 2311, as amended, is amended to read as follows:

"Section 1. Application not to be accepted without payment of fee:

No application or proposal for development permit, rezoning, variance or subdivision, formal or informal, under Ordinances 2165, 2178, 2473, 2488, or 2678, as heretofore or subsequently amended or superseded, shall be accepted for filing until all fees or deposits as established in this Ordinance have been paid to the City of Kirkland.

Section 2. Definitions

A. --- Single-Family-residential-fees-shall-apply-only to-an-application-made-by-the-owner-of-property-zoned-single family-residential:

(i) --- Upon-which-the-applicant-resides-at-the time-of-making-the-application, and

(ii) --- The-action-or-permit-applied-for-will-not change-the-existing-and-primary-single-family-use-of-the property, and

(iii) --- The-total-contiguous-property-ownership-of the-applicant-does-not-exceed-20,000-square-feet-in-area, exclusive-of-such-portion-thereof-as-may-be-submerged-by-the water-of-Lake-Washington-as-to-property-abutting-on-Lake-Washington.

Fees for "single dwelling units" shall apply only to applications pertaining to a single dwelling unit owned or being constructed by the applicant and in which the applicant resides or intends to reside.

B. --- Development-Permit-shall-include-Conditional-Use Permit, Unclassified-Use-Permit, Planned-Unit-Development-and

Substantial-Development-Permit.

G.B. "Acre" shall mean acre or any fraction of an acre.

Section 3. Fees and other charges related to compliance with the State Environmental Policy Act.

A. Environmental Checklist

1. The City shall review and process an environmental checklist according to the following schedule:

- a. 0-2 hours of staff time: \$30 \$45
- b. More than 2 hours of staff time: Actual-cost-of-staff time-based-on established-hourly billing-rates - \$35 per hour of review time by the Environmental Coordinator. Any special research or analysis required by City Employees will be charged at their billable rates plus \$4.00 per hour to cover secretarial and clerical costs.

B. Environmental Impact Statement

1. The cost of an environmental impact statement is the sole responsibility of the applicant. City of Kirkland Ordinance No. 2473, as amended, establishes the procedures that the City will use to charge for the preparation, including distribution, of a draft and final environmental impact statement.

2. In addition to any amount required for the preparation, including distribution, of a draft and final environmental impact statement, the applicant is required to deposit with the City an amount, not less than \$1500, to provide for the City's cost of review and processing of the draft and final environmental impact statement. If the anticipated cost of review and processing of the draft and final environmental impact statement significantly exceeds \$1,500, the City may, upon written notification to the applicant, require a deposit in an amount reasonably expected to provide for the City's anticipated costs.

C. Reconsideration by the Responsible Official of a Threshold Determination under the State Environmental Policies Act: No Charge.

D. Appeal of a Threshold Determination of the Responsible Official under the State Environmental Policies Act:
\$100.

Section 4. Fee Schedule Established. Fees required other than compliance with the State Environmental Policy Act to-be-paid-to-the-City-of-Kirkland-pursuant-to-this-Ordinance are hereby-established as follows:

A. Quasi-Judicial-Rezone---Single-Family-Residential:
\$350.

B. Quasi-Judicial-Rezone---All-others:--\$500, plus-\$75-per-acre-of-area-sought-to-be-rezoned.

C. Planned-Residential-Unit-Development---Preliminary---Single-Family-Residential:--\$300.

D. Planned-Residential-Unit-Development---Preliminary:--\$500, plus-\$100, per-acre-of-area, subject-to-the-application.

E. Planned-Residential-Unit-Development---Final---Single-Family-Residential:--\$50.

F. Planned-Unit-Development---Final---All-Others:--\$500, plus-\$75, per-acre-of-area, subject-to-the-application.

G.A. Subdivisions - Preliminary: \$500. plus \$25. per proposed lot.

H.B. Subdivision - Final: \$350. plus \$10. per proposed lot.

I.C. Subdivision - Short - Single-Family-Residential: \$500 plus \$25 per proposed lot.

J.D.---Subdivision---Short---All-Others:--\$150.

K.D. Subdivision - Modification under Section 2.13 or 3.10 of Ordinance 2178, as amended: 25% of the subdivision fee

L.E. Subdivision - Division under Section 1.3 of Ordinance 2178, as amended: \$150.

M.F. Substantial Development Permit - Single Family Residential Dwelling Unit: \$350; all others: \$500 plus \$75. per acre of area subject to the application.

N. Substantial-Development-Permit---All-Others:--\$500, plus-\$75, per-acre-of-area, subject-to-the-application.

O.G. Shoreline Master Program - Variance - Single

Family-Residential Dwelling Unit: \$350; all others: \$500.

P. Shoreline-Master-Program---Variance---All-others: \$500.

Q. Variance---Single-Family-Residential: \$350.

R. H. Variations - Signs: \$500.

S. Variance---All-Others: \$500.

T. Reconsideration-by-the-Responsible-Official-of-a Threshold-Determination-under-the-State-Environmental-Policies-Act: No charge.

U. Appeal-of-a-Threshold-Determination-of-the Responsible-Official-under-the-State-Environmental-Policies-Act: \$100.

V. Environmental-Impact-Statement: as established in Section 3, Ordinance No. 2311, as amended.

W. I. Vacation of a Street, Alley, Public Easement, or Part Thereof: \$400.

X. J. Appeal of Staff Interpretation: \$100.

Y. K. Permits and decisions under Process I, Chapter 145 of the Zoning Code, other than as specifically listed in this Ordinance: \$150.

Z. L. Permits and decisions under Process IIA, Chapter 150 of the Zoning Code, other than as specifically listed in this Ordinance - Single Dwelling Unit: \$350; all others: \$500 plus \$75 per acre of area subject to the application.

AA. M. Permits and decisions under Process IIB, Chapter 152 of the Zoning Code, other than as specifically listed in this Ordinance - Single Dwelling Unit: \$350; all others: \$500 plus \$75 per acre of area subject to the application.

BB. N. Permits and decisions under Process III, Chapter 155 of the Zoning Code, other than as specifically listed in this Ordinance - Single Dwelling Unit: \$350; all others: \$500 plus \$75 per acre of area subject to the application.

CC. O. Permits and decisions under Process IV, Chapter 160 of the Zoning Code, other than as specifically listed in this Ordinance: No charge.

DD. P. Any other Public Hearing not specifically mentioned above required to facilitate a specific development proposal: \$25.

Section 5. --- Fees not refundable:

No portion of any fee required to be paid pursuant to this Ordinance shall be refunded or refundable, provided that a fee may be refunded where a refund request is made to the City prior to any processing or review of the application by the administrative staff of the City.

Section 6 5. Special Provisions: -relating to Substantial Development-Permit-only:

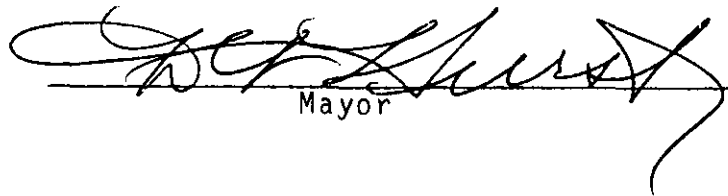
Whenever a Substantial Development Permit is required in conjunction with a Conditional Use Permit, or a Planned Unit Development, only the higher fee of the two concurrent development permits shall be paid. -- In all other instances, applications Applicants requiring or requesting multiple development permits or actions shall be required to payment of all applicable fees. The Director of the Department of Planning and Community Development is authorized to reduce a particular fee established by this ordinance on a case-by-case basis to reflect the actual costs of processing.

Section 7 6. Section 23.64.040 of Ordinance No. 2183 and Sections 2.7.1 and 2.7.3 and 3.3 of Ordinance No. 2178 are each hereby repealed."

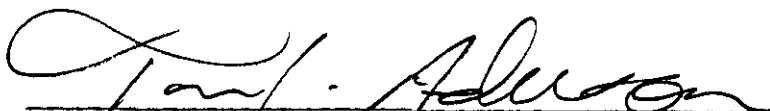
Section 2. If any section, subsection, sentence, clause, phrase, part, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. This Ordinance shall be in force and effect from and after the effective date of Ordinance No. 2678.

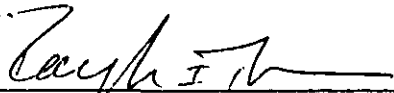
ADOPTED by a majority vote of the Kirkland City Council in regular meeting on the first day of November , 1982.


Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:



City Attorney

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 3 day of November, 1982 in accordance with the provisions of RCW 35A.22.260 and City of Kirkland Ordinance 2600.



Clerk

01118/bk