

ORDINANCE NO. 2972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE PROCEDURES FOR THE ISSUANCE OF A SUBSTANTIAL DEVELOPMENT PERMIT MADE BY THE CITY, PURSUANT TO THE SHORELINE ADMINISTRATION PROCEDURES SECTION OF THE MUNICIPAL CODE, AND AMENDING SECTION 24.06.40.2.b OF THE KIRKLAND MUNICIPAL CODE.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1: Section 24.06.40.2.b of the Kirkland Municipal Code be and it is hereby amended to read as follows:

24.06.40 Substantial Development Permits

1. General - This section establishes the procedures and criteria that the City will use to review and decide upon each application for a Substantial Development Permit under the Shoreline Management Act and the Shoreline Master Program.
2. Procedures
 - a. If the proposal that requires a Substantial Development Permit also requires approval through Chapters 145, 150, 152, or 155 of Ordinance 2740, as amended (the Kirkland Zoning Code), the Substantial Development Permit will be heard and decided upon using the provisions of whichever of the above listed Chapters of Ordinance 2740 applies; provided, however, that if the provisions of this Chapter conflict with the provisions of the applicable Chapters of Ordinance 2740, the provisions of this Chapter will be followed.
 - b. If the provisions of Paragraph 2(a) of this Section 24.06.40 do not apply, the Substantial Development Permit will be reviewed and decided upon by the City Planning Official. Appeals of this decision shall be made using the appeal provisions of Chapter 152 145 of Ordinance 2740, as amended (the Kirkland Zoning Code) to the extent that those provisions do not conflict with the provisions of this Chapter. If a conflict exists, the provisions of this Chapter will be followed.

3. Criteria - WAC 173-14-100 establishes that a Substantial Development Permit may only be granted when the proposed development is consistent with all of the following:

- a. The policies and procedures of the Shoreline Management Act.
- b. The provisions of WAC Chapter 173-14.
- c. Chapter 24.05 of the Kirkland Municipal Code.

Section 2: This ordinance shall be in force and take effect five days from and after its passage by the Kirkland City Council and publication as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 18th day of August, 1986.

SIGNED IN AUTHENTICATION thereof this 18th day of August, 1986.

Lorin Cooper

Mayor

Attest:

Tom Adley
 Director of Administration & Finance
 (ex officio City Clerk)

Approved as to Form:

Ralph E. [Signature]
 City Attorney

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