

ORDINANCE 3532

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO JUDICIAL REVIEW OF LAND USE DECISIONS UNDER TITLE 22 OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. Section 22.12.400 of the Kirkland Municipal Code is amended to read as follows:

22.12.400 Judicial review of city council action.

The action of the City in granting or denying a preliminary plat may be reviewed ~~for unlawful, arbitrary, capricious or corrupt action~~ pursuant to the standards set forth in RCW 36.70C.130 in King County ~~s~~Superior ~~c~~Court. ~~The petition for review~~ land use petition must be filed within ~~thirty-~~ twenty-one (21) calendar days of the ~~final decision of issuance of the final land use decision by the eCity on the preliminary plat,~~ all in accordance with the provisions of RCW 58.17.180.

Section 2. Section 22.16.110 of the Kirkland Municipal Code is amended to read as follows:

22.16.110 Judicial review of city council action.

The action of the eCity in granting or denying a final plat may be reviewed ~~for unlawful, arbitrary, capricious or corrupt action~~ pursuant to the standards set forth in RCW 36.70C.130 in King County ~~s~~Superior ~~c~~Court. ~~The petition for review~~ land use petition must be filed within ~~thirty~~ twenty-one (21) calendar days of the ~~final decision of issuance of the final land use decision by the eCity on the final plat. The date of the final decision of the City is the date of passage of the City Council ordinance or resolution constituting the City's final decision unless such City Council decision is subject to the disapproval jurisdiction of the Houghton Community Council in which case the petition for judicial review must be filed within twenty-one (21) calendar days of the date of approval or disapproval action of the Houghton Community Council.~~

Section 3. Section 22.30.350 of the Kirkland Municipal Code is amended to read as follows:

22.20.350 Judicial review of city action.

The action of the eCity in approving or denying a short plat may be reviewed ~~for unlawful, arbitrary, capricious or corrupt action~~

pursuant to the standards set forth in RCW 36.70C.130 in King County Superior Court. The ~~petition for review~~ land use petition must be filed within ~~thirty~~ twenty-one (21) calendar days of the final decision of issuance of the final land use decision by the City.

Section 4. Section 22.26.440 of the Kirkland Municipal Code is amended to read as follows:

22.26.440 Appeal—Judicial review.

The action of the City in granting or denying an application under this chapter may be reviewed ~~for illegal, corrupt or arbitrary or capricious action~~ pursuant to the standards set forth in RCW 36.70C.130 in the King County Superior Court. The ~~petition for review~~ land use petition must be filed within ~~thirty~~ twenty-one (21) calendar days of the final decision of issuance of the final land use decision by the City.

Section 5. Section 22.26.660 of the Kirkland Municipal Code is amended to read as follows:

22.26.660 Final decision—Judicial review.


The action of the City in granting or denying an application under this chapter may be reviewed ~~for illegal, corrupt, arbitrary, or capricious action~~ pursuant to the standards set forth in RCW 36.70C.130 in the King County Superior Court. The ~~petition for review~~ land use petition must be filed within ~~thirty~~ twenty-one (21) calendar days of the final decision of issuance of the final land use decision by the City. The date of the final decision of the City is the date of passage of the City Council ordinance or resolution constituting the City's final decision unless such City Council decision is subject to the disapproval jurisdiction of the Houghton Community Council in which case the petition for judicial review must be filed within twenty-one (21) calendar days of the date of approval or disapproval action of the Houghton Community Council.

Section 6. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, 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 7. This Ordinance shall be in force and 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 2nd day of April, 1996.

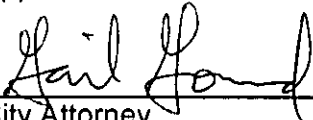
Signed in authentication thereof this 2nd day of  
April, 1996.

  
\_\_\_\_\_  
MAYOR

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
City Attorney

Mar96\ordChp22