

RESOLUTION NO. 2960

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CZ-81-39 (AMENDMENT), BY YARROW SHORE DEVELOPMENT CORPORATION TO AMEND A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO DEPOSIT DREDGE SPOILS ON UPLAND PROPERTY BEING WITHIN A WATERFRONT DISTRICT I ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a CONDITIONAL USE PERMIT filed by Yarrow Shore Development Corporation, the owner of said property described in said application and located within a WD I zone.

WHEREAS, the application has been submitted to the Houghton Community Council and Kirkland Planning Commission who held hearing thereon at their regular meetings of August 24, 1982 and September 2, 1982, respectively and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2473 concerning environmental policy and the State Environmental Policy Act, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental checklist and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Houghton Community Council and Kirkland Planning Commission after their public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the CONDITIONAL USE PERMIT subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Community Development File No. CZ-81-39 (Amendment) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The CONDITIONAL USE PERMIT shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council together with the following condition, that the dredge spoil shall not be used as shoreline fill or to increase the square footage of the parcel of land receiving the dredge spoil.

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the CONDITIONAL USE PERMIT or evidence thereof delivered to the permittee.

Section 4. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein.

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the CONDITIONAL USE PERMIT is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.


Section 6. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the CONDITIONAL USE PERMIT herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of the passage of this Resolution.

Section 7. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) Project and Construction Management Division of the Public Services Department of the City of Kirkland
- (f) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

Passed by majority vote of the Kirkland City Council on the 20th day of September, 1982.

SIGNED IN AUTHENTICATION THEREOF on the 20th day of September, 1982.



 Mayor

ATTEST:



 Director of Administration and Finance
 (Ex officio City Clerk)