



Continued Use Application

Pursuant to Section 162.60 of the Kirkland Zoning Ordinance, lawful existing uses and structures which became nonconforming as to density as a result of the passage of Ordinance No. 2347 or due to other zoning changes implemented to bring about conformity with the Comprehensive Plan, may continue to be a lawful use and, if destroyed by fire or other casualty, may be rebuilt.

INFORMATION TO BE SUPPLIED BY OWNER

1. Address of use/structure(s): _____
2. Legal Description: _____

3. Owner of use/structure(s): _____
4. Mailing address of owner: _____
5. Site Characteristics (a site plan or ALTA survey may be attached to illustrate the following existing conditions):
 - a. Existing use(s): _____

 - b. Number of existing dwelling units: _____
 - c. Number of existing parking stalls: _____
 - d. Height of existing structure: _____
 - e. Major horizontal dimensions:
 - 1) Length: _____
 - 2) Width: _____
 - f. Setbacks:
 - 1) Front: _____
 - 2) Side: _____
 - 3) Side: _____
 - 4) Rear: _____
 - g. Square footage of existing structure:
 - 1) Basement: _____
 - 2) First Floor: _____
 - 3) Second Floor: _____
 - 4) Other: _____
 - h. Description of other relevant existing conditions: _____

6. The applicant shall submit evidence to the effect that the use or structure(s) had a legal conforming density at the time the time of the zoning change rendering density non-conforming. Such evidence may include a copy of the building permit(s), certificate(s) of occupancy for the subject structure(s)/use and/or supporting documentation from the King County Assessor's Office and will be submitted together with a notarized affidavit signed by the applicant that the above information is true and correct to the best of his/her knowledge.



Certificate of Continued Use

Address of use/structure(s):

Parcel Number(s):

This Certificate of Continued Use is granted pursuant to Kirkland Zoning Code 162.60. This section allows an existing lawful use of a residential structure which became nonconforming as to density either as a result of amendatory Ordinance No. 2347 or due to other zoning changes implemented to bring about conformity with the Comprehensive Plan shall be allowed to continue in existence, or be remodeled, repaired or maintained subject to the conditions listed below:

1. Redevelopment or rebuilding may not occur unless the structure is destroyed by fire or other casualty.
2. Any change in use shall conform to the Comprehensive Plan and zoning regulations in effect at the time such change is made.
3. Any change in density shall comply with the provisions of KZC Section 162.60.
4. Ordinary repairs and maintenance may be carried out consistent with the provisions of KZC Chapter 162; provided, that there shall be no limitation on the amount or cost of such repairs and maintenance.
5. Remodeling may be carried out consistent with the provisions of KZC Chapter 162; provided, that within any 24-month period, the value of all improvements may not exceed 50 percent of either the assessed valuation of the existing structure based on the King County assessed valuation of the structure, or the value of the existing building as determined by the most current Building Standards as published by the International Conference of Building Officials, whichever is greater. If there is no King County assessment for the structure to be remodeled, the most current Building Standards as published by the International Conference of Building Officials shall be used to determine valuation.
The remodeled density must be at least 75 percent of that contained in the original structure. The major exterior dimensions of the structure shall not exceed the major exterior dimensions of the previous structure. Except as noted in KZC Section 162.60, this provision shall not reduce any requirements of the zoning, building, or fire codes in effect when the structure is remodeled.
6. Residential property with nonconforming density shall not be subject to the provisions of KZC Chapter 162 relating to destruction by fire or other casualty. In the event a residential structure that is nonconforming as to density is destroyed to any extent by fire or other casualty, the structure may be rebuilt as a residential structure; provided, however, that the number of dwelling units, gross floor area of the structure, and major exterior dimensions of the structure shall not exceed the same dimensions or standards of the previous structure. This subsection shall not reduce any requirements of the zoning, building, or fire codes in effect when the structure is rebuilt. The property owner shall also have the option of rebuilding the structure at a reduced density, as described in KZC Section 162.60.55. The provisions of this subsection shall only be available if an application for a building permit is filed within 12 months of fire or other casualty and construction is commenced and completed in conformance with the provisions of the building code then in effect.
7. Should the number of parking stalls provided on-site be insufficient to meet zoning regulations in effect at the time of remodeling, this deficiency shall be allowed to remain with the remodel; provided, that the number of stalls may not be reduced from the number of stalls on-site with the original structure. Any surplus of parking stalls above those required by the zoning regulations in effect at the time of remodeling may be eliminated.

Director of Planning and Community Development

Date