



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT (SDP)

This permit application packet is designed to obtain all the information necessary to allow the City to make a well-informed decision on your application for an exemption from a shoreline SDP. Please refer to the attached application checklist to determine the materials that must be submitted to complete your application. All application materials are public information.

Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent sections of Chapters 83 and 141 of the Kirkland Zoning Code (KZC) and the Shoreline Area Chapter of the Kirkland Comprehensive Plan

YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT COMPLIANCE WITH CITY REGULATIONS AND TO OBTAIN GUIDANCE ON THE APPLICATION MATERIALS YOU MUST SUBMIT.

Copies of Kirkland Comprehensive Plan and Zoning Code containing components of the City's Shoreline Master Program are available at the Department of Community Development in City Hall, 123 Fifth Avenue; and the Kirkland Public Library, 308 Kirkland Avenue. To purchase the Comprehensive Plan or Zoning Ordinance, call Code Publishing Company at (206) 527 6831 or (800) 551-2633. The City ordinances can also be found on-line at www.kirklandwa.gov.under the Government tab.

NOTE: Information provided by the Department of Planning and Community Development represents a preliminary, qualified assessment that is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements.



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

APPLICATION FORM: **EXEMPTION FOR A SUBSTANTIAL DEVELOPMENT PERMIT**

This is an application for an exemption from a shoreline Substantial Development Permit as authorized under WAC 173-27-040 of the Shoreline Management Act of 1971. The City must approve the exemption by finding that the proposal is consistent with its Shoreline Master Program (regulations and policies) and that the proposal does meet one of the exemption provisions in WAC 173-27-040.

It is suggested that you check with appropriate local, state or federal officials to determine whether your project requires permits from other agencies.

PRIMARY CONTACT PERSON:

Applicant's name: _____ Daytime phone _____

Applicant's mailing address: _____

Applicant's e-mail address: _____

Note: If applicant is not property owner, he/she must be authorized as agent (see page 4)

SECONDARY CONTACT PERSON:

Property Owner's name: _____ Daytime phone _____

Property Owner's mailing address: _____

Property Owner's e-mail address: _____

Relationship of applicant to property:

Owner _____ Purchaser _____ Lessee _____

Other (specify): _____

The Notice of Decision will be sent by email. If you would prefer a paper copy mailed to you, please check YES _____

1. Address of proposed project:

2. Tax Parcel Number: _____
3. Is property within wetland associated with Lake Washington? Yes _____ No _____
4. Current use(s) on the property with existing improvements, both landward and waterward of the lake.



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

5. Proposed development or use activity (please be specific):

6. General description of vicinity and adjacent structures and improvements:

7. List the provision(s) in WAC 173-27-040 that exempts the proposed project from obtaining a shoreline SDP:

8. Fair market value of all labor and materials for an exemption under WAC 173-27-040(2) (a) or (h): _____
Attach a detailed list of all materials, labor hours and costs. See Kirkland Building Department for established costs.
9. Adopted Shoreline Environment Designation for property found on City's adopted shoreline map (Natural, Urban Conservancy, Residential-L, Residential-M/H, Urban Mixed or Aquatic):

10. Nature of the existing shoreline (Describe type of shoreline, such as marine, stream lake, lagoon, marsh, bog, swamps, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any):

11. List other permits for this project from state, federal or local governmental agencies for which you have applied or will apply, including the name of the issuing agency, whether the permit has been applied for, and if so, the date of the application, whether the application was approved or denied and the date, and the number of the application or permit.
Provide copies of all approved permits if any:

NOTE:

- YOUR APPLICATION WILL NOT BE COMPLETE UNTIL ALL DOCUMENTS LISTED ON THE APPLICATION CHECKLIST ARE SUBMITTED.
- AFTER THE CITY HAS DECIDED ON YOUR APPLICATION, YOU WILL RECEIVE FORMAL NOTICE OF THE OUTCOME. CONDITIONS OR RESTRICTIONS MAY BE PLACED ON YOUR REQUEST.
- IF THE CITY APPROVES THE EXEMPTION, THE APPROVAL IS VALID FOR THE LENGTH OF THE ASSOCIATED DEVELOPMENT PERMIT OR FOUR (4) YEARS IF THERE IS NO DEVELOPMENT PERMIT, AT WHICH TIME A COMPLETE BUILDING PERMIT MUST BE SUBMITTED OR THE APPROVED ACTIVITY MUST BEGIN.
- IF THE EXEMPTION IS DENIED, AN APPLICATION FOR A SDP MUST BE SUBMITTED OR AN APPEAL FILED AS DESCRIBED IN SECTION 141.40.7 KZC SHOULD YOU WISH TO PROCEED WITH THE PROJECT.



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

APPLICATION FORM: EXEMPTION FROM A SUBSTANTIAL DEVELOPMENT PERMIT (SDP)

STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT

The undersigned property owners, under penalty of perjury, each state that we are all of the legal owners of the property described in Exhibit A, which is attached as page 5 of this application, and designate _____ to act as our agent with respect to this application.

AUTHORITY TO ENTER PROPERTY

I/we acknowledge that by signing this application I/we are authorizing employees or agents of the City of Kirkland to enter onto the property which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, for the sole purpose of making any inspection of the limited area of the property which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the applicant(s) further agrees that City employees or agents may enter the property during such other times and days as necessary for such inspection upon 24 hours notice to applicant(s), which notice will be deemed received when given either verbally or in writing.

HOLD HARMLESS AGREEMENT READ CAREFULLY BEFORE SIGNING

The undersigned in making this application certifies under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay, and save harmless the City of Kirkland, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees, and agents, and arising out of reliance by the City of Kirkland, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

ORIGINAL SIGNATURES ONLY/NO COPIES.

Applicant

Property Owner #1

Signature: _____
 Name: _____
 Address: _____
 Telephone: _____

Signature: _____
 Name: _____
 Address: _____
 Telephone: _____

Agent (Other than Applicant)

Property Owner #2

Signature: _____
 Name: _____
 Address: _____
 Telephone: _____

Signature: _____
 Name: _____
 Address: _____
 Telephone: _____



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

APPLICATION FOR EXEMPTION FROM SUBSTANTIAL DEVELOPMENT PERMIT

EXHIBIT A: LEGAL DESCRIPTION



**APPLICATION CHECKLIST:
EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

The following materials must be submitted with your application. *For some applications, it may not be necessary to submit all of the listed materials.* Consult with the Department of Planning and Community Development if you have any questions. Please do not submit your applications until all materials that apply to your proposal have been checked off.

RETURN THIS CHECKLIST WITH APPLICATION

	<u>Applicant to check if completed</u>
<u>Application</u> A completed application form.	<input type="checkbox"/>
<u>Fees</u> Payment to the City of Kirkland for the exemption filing fee.	<input type="checkbox"/>
<u>Plans</u> Two (2) copies of dimensioned plans, drawn at 1" = 20' or a comparable scale on 11 x 17 paper, and folded to 8 ½ x 11 size AND a CD (see page 9), showing the applicable items below.	<input type="checkbox"/>
One (1) copy of all plans reduced onto 8-1/2" x 11" sheet.	<input type="checkbox"/>
Perspective drawings, photographs, color rendering or other graphics may be needed to adequately evaluate your application. Check with planner. Yes ___ No ___	<input type="checkbox"/>
<u>I. All Projects</u> (if applicable)	
a. Property survey showing property dimensions and names of adjacent rights-of-way.	<input type="checkbox"/>



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

- b. Existing water courses and bodies, public and private roadways, rockeries within the shoreline setback, and other relevant man made or natural features on or abutting the subject property.
- c. Location and elevation of ordinary high water mark (OHWM) of the subject property at an elevation of 18.5 feet for Lake Washington based on NAVD 88 datum.
- d. Existing properties, rights-of-way, structures and other improvements within 200 feet of the subject property, including all in-water structures.
- e. Wetland delineation or stream determination, if applicable, using Section 83.500 (wetlands) or Section 83.510 (streams) KZC.

II. Project Landward of Lake

- a. Location, dimensions and design of existing and proposed structures on the subject property, including accessory structures, in-water structures, driveways and other improvements.
- b. Repair of existing structures, if applicable (See Section 83.500 KZC).
- c. Lot coverage calculations (Section 83.190.3 KZC).
- d. Dimensioned building elevations drawn at 1/8" = 1" or a comparable scale showing two facades. Building height calculations and height of all structures above average existing grade level (Section 83. 190.4 KZC).
- e. Existing and finished grades at 2-foot contours with the precise slope of any area in excess of 15%.
- f. Cross sections showing existing and proposed building elevations and height of structures.
- g. Calculations and dimensions of required shoreline setback (Sections 83.180 and 190.2 KZC).
- h. Dimensions of required side and front yards (see applicable use zone charts in KZC, i.e. WDI-III, PLA 3B or 15A, RSA, RM).
- i. Dimensions and calculations of view corridors if required (Section 83.410 KZC). Any improvements in the view corridor, including landscaping, parking, and fencing or other improvements.



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

- j. Location and improvements for required public access easement, if applicable (Section 83.420 KZC).
- k. Vegetation to be removed and proposed, if applicable.
- l. Location, dimensions and nature of any easements or dedications.

III. Pier, Marina, Boatlift or other Water Dependant Use Project:

(Sections 83.270 through .290 and Section 83.430 KZC):

- a. Proposed structures with required setback, design, dimensions and other requirements, including waste receptacle, reflectors and address sign.
- b. For new, repair or enlargement of water dependant use, show exact location of all adjacent existing in-water structures and public parks measured from the property lines.
- c. Existing structures and improvements waterward of the OHWM, including piers, marinas, breakwaters, boathouses, boatlifts, floats mooring piles and buoys associated with the property.
- d. Mitigation if required, including native plantings in the shoreline setback, in-water emergent vegetation, installation of gravel/cobble beach fill waterward of OHWM, and removal of existing skirting or in-water structures.
- e. Improved walkway landward of the lake to the shoreline edge, pier or marina if proposed (Section 83.190.d KZC).
- f. Boat canopy or in-water fill for boatlift, if applicable.
- g. Shoreline habitat or natural systems enhancement project, if proposed (Section 83.350 KZC).

IV. Shoreline Stabilization Project (Section 83.300 KZC):

- a. Proposed structure showing detailed design, dimensions, any fill and other requirements in Section 83.300 KZC. Include cross sections and design recommendation for minimizing the size of the stabilization measure, including the use of gravel and cobble beach waterward of the stabilization measure.
- b. Geotechnical report for new or enlarged shoreline stabilization OR written narrative for major repair of shoreline stabilization, prepared by a qualified professional approved by the City showing demonstration of need to prevent



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

erosion to existing primary structure within three years and providing a feasibility study using the options in Plate 43 in Chapter 180 of the Zoning Code for soft or non structural measures.

- c. For new and enlarged hard stabilization, include detailed plans showing gravel/cobble beach fill to increase shallow water habitat and native riparian vegetation along 75% of the linear frontage of shoreline.
- d. For new or enlarged soft shoreline stabilization, an assessment of erosion potential to existing primary structure within three years (not required for replacement of existing hard to soft stabilization).
- e. Review fee for City's consultant to evaluate the project, if required.
- f. For new and enlarged hard stabilization, provide a detailed plan of the required shoreline vegetation mitigation and draft 5-year maintenance and monitoring program.
- h. Stairs or other water access improvement if proposed.

V. Emergency Construction Project (Section 83.560 KZC):

Plans that meet WAC 173-27-040 and are consistent with the City's Shoreline Master Program (regulations and policies), including Section 83.560 KZC.

Electronic Copies of Materials

The following materials must be submitted on CD to the Planning Department for presentation at public meetings and/or permanent storage:

- Acceptable native electronic formats are: Adobe PDF, Word, Excel, PowerPoint, JPEG or GIF.
- All wetland reports, geotechnical. reports, narratives or assessments, site plans, etc. should be submitted in their native electronic format or converted from their native format to Adobe PDF rather than being scanned.
- Any memo/report that is created from multiple formats must be combined and submitted as one PDF document.
- All plans, drawings, renderings, photographs or other graphics must be submitted in its native electronic format. CAD format is unacceptable; you must convert to Adobe PDF before submitting.
- All documents must be either 8 ½ x 11 or 11 x 17 inch size. Legal sized documents will not be accepted.
- Models and/or material/color boards, if prepared, must be photographed for permanent storage and submitted to the Planning Department on CD.
- Converting a document from its native format to an Adobe PDF document is preferred as opposed to scanning the document.

Applicant
to check if
completed



CITY OF KIRKLAND
PLANNING & COMMUNITY DEVELOPMENT
123 5th Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

Other Required Items

fs