

ORDINANCE NO. 997

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING IN LAND USE AND DEVELOPMENT, ZONING, AND AMENDING SECTION 5.1.30 OF THE KIRKLAND ZONING CODE, ORDINANCE NO. 709 AS AMENDED.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 5.1.30 of the City of Kirkland Zoning Code, Ordinance No. 709, as amended, be and it hereby is supplemented and amended to read as follows:

Section 5.1.30

A. Pre-existing lots. Any lot of any size can be used for a building site subject to the regulations governing the use zone in which it is located if it was officially recorded in city or county offices as a separately owned single lot prior to March 23, 1957, provided it has 30 foot frontage on a public street or access to a public street by a 20 foot wide private lane. Where such a lot has been divided or its size or shape has been changed subsequent to March 23, 1957, it shall have lost its pre-existing status and shall meet all of the regulations including area requirements for the use zone in which it is located.

B. Sub-standard existing lots. Any platted lot existing prior to March 23, 1957, with a minimum of 50 foot frontage on a public street and 120 feet in depth may be used as a single family residential building site in any single family residential use zone, and a building permit may be issued as to such lot provided that a plot plan of such lot is submitted to the building inspector showing that such lot and its proposed improvement conform to all requirements and restrictions (other than minimum area requirements) for the use zone in which it is located, provided no permit shall issue for the construction of a residence building within 10 feet of an existing residence building, except upon variance duly granted.

C. Informal subdivision of property into not more than four lots. When a lot, combination of lots, unplatted parcels of ground or acreage are to be divided so as to produce not more than a total of four lots and no dedication of public right of way is involved, it shall not be necessary to follow the platting procedures required by Ordinance No. 834 of the City of Kirkland, provided that all of the following requirements are met:

1. Application for subdivision: An application containing the following information concerning a proposed subdivision pursuant to this subsection shall be submitted to the City of Kirkland for approval by the engineering department:

- (a) Legal description of property to be subdivided;
- (b) Lot lines and dimensions of lots;

- (c) Existing City of Kirkland streets, alleys or other public rights of way showing whether they are improved or not improved;
- (d) All easements including power, water, sewer, etc.
- (e) Location of all existing buildings;
- (f) Where topography influences the layout of lots or drainage, contours shall be shown.
- (g) Lots shall conform all ways to the zoning requirements;
- (h) If one large lot suitable for further subdivision remains, explain reason;
- (i) Turn-arounds required on dead end easements will be either hammer-heads or cul-de-sacs;

2. All lots to be created pursuant to this procedure shall meet all requirements of the residential land use zone within which they are located, provided that the City Engineer or Building Inspector may in his discretion issue building permits as to any such lots which, meeting all other use zone requirements are sub-standard in area requirements by not more than 10% of the required area minimum.

3. Each lot must have a minimum of 15 foot frontage on an approved city street, or be serviced by an easement as access.

4. An owned access of 15 feet minimum width may serve one lot only. The area of the access strip may not normally be included to meet minimum lot area requirements.

5. Access easements where required:

- (a) Access easements serving one lot shall be not less than 15 feet in width, and access easements serving two to four lots shall be not less than 20 feet in width;
- (b) A turn around is required when an easement serves more than one lot and is dead-ended;
- (c) Easements will not be included in computations for lot area and frontage. If sufficient area is available to create two or more lots and there is no other feasible way to develop the property, then easements may be included to meet frontage requirements only.

6. Additional set-back requirements. Additional set-backs will be required when a lot or lots of a proposed subdivision front on

- (a) A street or road with less than 60 foot right-of-way that may be widened to 60 feet at some future time.
- (b) A logical location for a future road or street that may be desired as a part of the road pattern for the area;
- (c) A road that is proposed as a primary or secondary arterial by the comprehensive plan, whether or not it is included in the current annual or six year street program.

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7. Improvements to city rights of way. Subdivisions fronting on a city right of way and using this right of way for access will normally be required to improve a section of the right of way to minimum city standards to provide adequate access to the subdivision.

8. Not more than three building permits shall be issued as to any subdivision until all conditions have been met and the proposal approved. Permits shall be given only on lots which have suitable access that does not depend on the completion of roads within the subdivision.

9. Conditional approval of subdivision. The conditions under which the approval of a subdivision is given shall be met before the building permits are issued:

- (a) A description of newly recorded easements along with the King County Auditor's file number shall be submitted to the Building Department as proof of the easement's existence. Turn-arounds shall be described and recorded with the easements.
- (b) Deeds of required additional right of way shall be recorded and received by the City of Kirkland prior to the issuance of any permit;
- (c) All additional set-back requirements will be specified on building permit applications;
- (d) Required work on city rights of way and easements will be completed to minimum city standards and approved by the City Engineer or a performance bond for the required work must be posted before permits are issued.

Section 2. Ordinance No. 709, the Kirkland Zoning Code as heretofore amended, be in all other respects ratified and confirmed.

Section 3. This ordinance shall be in force and take effect five days from and after its passage by the council and publication as required.

PASSED by the Kirkland City Council in regular meeting on the 18th day of October, 1965.

SIGNED in authentication thereof on the 18th day of October, 1965.

James L. Vaux
Mayor

Attest:

George E. Anderson
City Clerk

Approved as to form:

Raymond J. Thomas
City Attorney