

ORDINANCE NO. 2238

AN ORDINANCE OF THE CITY OF KIRKLAND PROVIDING FOR THE PAYMENT OF FUNDS IN LIEU OF DEDICATION OF LAND FOR OPEN SPACE WITHIN NEW SUBDIVISIONS, PROVIDING FOR THE ACCOUNTING OF SUCH IN LIEU OPEN SPACE FUNDS, AND AMENDING SECTION 2.5.9 OF THE KIRKLAND SUBDIVISION ORDINANCE NO. 2178.

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

Section 1: Section 2.5.9 of Ordinance No. 2178, the Subdivision Ordinance, be and it hereby is amended to read as follows:

2.5.9 Parks, recreation sites and open spaces: ~~All subdivisions [10-acres-in-area-or-greater] shall reserve to be held in common ownership or shall dedicate to the city of Kirkland not less than 5 percent of the total land area for neighborhood or community parks, recreation sites or open spaces, serving the area of the proposed subdivision [and-shall-be-dedicated to-such-use-subject-to-the-terms-and-conditions of-acceptance-by-the-city-of-Kirkland-Planning Commission,-or-common-ownership-and] subject to such conditions as the Planning Commission may establish [on-the-subdivision] concerning access, and use and maintenance of such land as [deemed] may be necessary to assure the preservation of such land [in-perpetuity-of their-intended-purposes] for its intended use. Such conditions shall be shown on the plat prior to final approval and recording. All subdivisions-less-than-10-acres-in-size-may be-required-to-provide-up-to-3.5-percent-of the-total-land-area-in-accordance-with-the same-conditions-as-above.--Such-conditions shall-be-shown-on-the-plat-prior-to-final approval-and-recording.~~

In lieu of the dedication of such area to the city of Kirkland the platator may be required by the city to deposit in the "in lieu open space account" of the Park and Municipal Facilities Cumulative Reserve Fund an amount of money to be used solely for the purposes

for which said fund was created by Chapter 5.72 Kirkland Municipal Code (Ordinance No. 1115). The amount to be so deposited shall be not less than 10 percent of the assessed valuation of the entire subdivision as determined by the King County Assessor for general tax purposes for the year during which the subdivision plat is recorded.

NEW SECTION

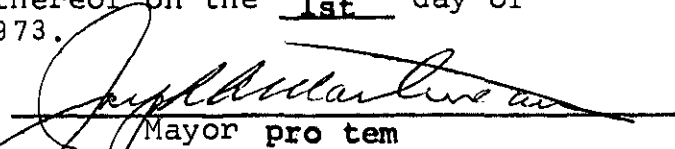
Section 2: There is hereby created in the Park and Municipal Facilities Cumulative Reserve Fund created by Chapter 5.72, Kirkland Municipal Code (Ordinance No. 1115), an account to be known as the "In Lieu Open Space Account", and all monies received by the city of Kirkland pursuant to the provisions of Section 2.5.9 of Ordinance 2178 as herein amended, shall be deposited into said account. The funds in said account shall be used solely for the purposes for which said cumulative reserve fund was created, and shall further be used only within the community as designed in the Park and Open Space Plan Element of the Comprehensive Plan (Ordinance No. 2117, Map No. 3) in which the subdivision is located.


Section 3: Houghton Community Council Jurisdiction: To the extent that the subject matter and provisions of this ordinance are within the disapproval jurisdiction of the Houghton Community Council as created by Ordinance No. 2001, this ordinance shall become effective within the Houghton Community, either upon approval of the Houghton Community Council or failure of said Community Council to disapprove within 60 days from the date of passage of this ordinance.

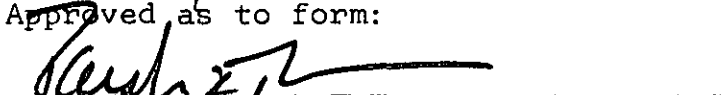
Section 4: Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 1st day of October, 1973.

SIGNED in authentication thereof on the 1st day of October, 1973.


Mayor pro tem

Attest:

Director of Administration & Finance
(ex officio City Clerk)

Approved as to form:

City Attorney

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