

Repealed By O-2766 Date: 10/03/83

ORDINANCE NO. 2315

AN ORDINANCE RELATING TO OPEN SPACE AND THE SUBDIVISION OF LAND AND AMENDING ORDINANCE NO. 2178 THE SUBDIVISION ORDINANCE FOR THE CITY OF KIRKLAND.

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

Section 1. Subsection 2.5.9(b) of Ordinance No. 2178 as heretofore amended is hereby amended to read as follows:

"2.5.9(b) In lieu of the dedication of such area to the City of Kirkland, the plattor 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% of the assessed valuation of the entire subdivision, or \$200 per new dwelling unit, whichever is greater. For the purposes of this subsection, "Assessed Valuation" shall mean the greater of:
(i) the assessed value as determined by the King County Assessor for general tax purposes for the year during which the subdivision plat is recorded,
or (ii) the most recent taxable sale price of the property being subdivided according to the 1% real estate excise tax records for King County."

Section 2. Ordinance No. 2178 as heretofore amended is hereby amended by the addition thereto of a new Section to be known as Section 3.5.11 to read as follows:

"Section 3.5.11 Parks, Recreation Sites and Open Spaces:

"(a) All informal subdivisions shall reserve, to be held in common ownership, or shall dedicate to the City of Kirkland, not less than 5% of the total land area for neighborhood or community parks, recreation sites, or open spaces serving the area of the proposed subdivision, subject to such conditions as the Planning Commission may establish concerning access and use and maintenance of such land as may

be necessary to assure the preservation of such land for its intended use. Such conditions shall be shown on the informal subdivision plat prior to final approval and recording.

"(b) In lieu of the dedication of such area to the City of Kirkland, the plattor 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 account was created by Chapter 5.72, Kirkland Municipal Code (Ordinance No. 1115) and Section 2.5.9(c) of this Ordinance.

The amount to be so deposited shall be not less than 10% of the assessed valuation of the entire subdivision, or \$200 per new dwelling unit, whichever is greater. For the purposes of this subsection, "Assessed Valuation" shall mean the greater of: (i) the assessed value as determined by the King County Assessor for general tax purposes for the year during which the subdivision plat is recorded or (ii) the most recent taxable sale price of the property being subdivided according to the 1% real estate excise tax records for King County."

Section 3. 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 sixty days from the date of passage of this Ordinance.

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

PASSED by the Kirkland City Council in regular meeting on the 17th day of May, 1976.

SIGNED in authentication thereof on the 17th day of May, 1976.

Robert A. Hill
Mayor

ATTEST:

G. J. Adams
Director of Administration & Finance
(ex officio City Clerk)

Approved as to form:

Ray E. [Signature]
City Attorney