

ORDINANCE NO. 2362

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKS RECREATION SITES AND OPEN SPACE REQUIREMENTS FOR SUBDIVISIONS OF LAND AND AMENDING SECTIONS 2.5.9 and 3.5.11 OF ORDINANCE 2178, THE KIRKLAND SUBDIVISION ORDINANCE.

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

Section 1. Section 2.5.9 of Ordinance 2178, the Kirkland Subdivision Ordinance, is hereby amended to read as follows:

Section 2.5.9 Parks, recreation sites and open spaces:

- (a) All subdivisions 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 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 plat prior to final approval and recording.
- (b) In lieu of the dedication of such area to the City of Kirkland the platlor 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." Provided, however, that the valuation (Land and Improvement) for any lot improved with an existing residence included within the proposed subdivision shall be excluded from the calculation of "Assessed Valuation."
- (c) 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. [2177] _____, Map No. [3] _____) in which the subdivision is located.

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, recreations 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:
(i) 2% of the assessed valuation of the entire subdivision when located in an RS Zone or (ii) 10% of the assessed valuation of the entire subdivision when located in any other zone or (iii) \$200.00 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. "Provided, however, that the valuation (Land and Improvement) for any lot improved with an existing residence included within the proposed subdivision shall be excluded from the calculation of "Assessed Valuation."

PASSED by majority vote of the Kirkland City Council in regular

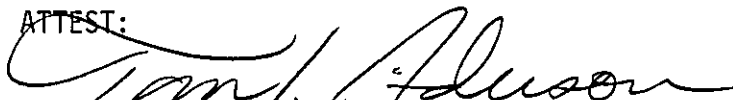
Ord. 2362

meeting on the 7th day of November, 1977.


SIGNED IN AUTHENTICATION thereof on the 7th day of November, 1977.


MAYOR pro tem

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:


City Attorney