

ORDINANCE NO. 2508

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ROUNDING OFF OF FRACTIONS OF DWELLING UNITS IN MULTI-FAMILY ZONES AND AMENDING ORDINANCE 2183, AS AMENDED.

WHEREAS, it is the exception, rather than the rule, that parcels divide evenly into the various multi-family zoning coefficients (for example, 3600 square feet of lot area per dwelling unit in an RM 3600 zone); and

WHEREAS, the Zoning Code, Ordinance 2183, as amended, is now silent as to how to treat such leftover fractions of a dwelling unit; and

WHEREAS, it is desirable that the calculation of dwelling unit count on a given parcel of multi-family zoned land correspond to the density specified in the Land Use Policies Plan; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made pursuant to the requirements of the State Environmental Policy Act (RCW 43.21c; WAC 197-10; and Kirkland Ordinance No. 2319). This Checklist and Declaration of Non-Significance were available to the Development Code Commission at the public hearing held on this issue. The Development Code Commission considered this information in formulating its recommendation to City Council, and City Council considered this information in taking final action on this recommendation.

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

Section 1. Chapter 23.10, Ordinance No. 2183, as amended, is amended in part by the addition of a new Section 23.10.045, to read as follows:

"Section 23.10.045. Rounding of Fractions of Dwelling Units.: When determining maximum allowable unit count on a parcel of land, the application of Section 23.10.040 will often yield both a whole number and a fraction of a whole number. These Fractions are rounded up to the next whole number when the following applies:

- (1) The fraction of the whole number (or unit) is at least .66, and
- (2) The resulting density on the subject property shall not exceed the maximum designated in the Land Use Policies Plan.

When the above criteria are not satisfied, the fraction is rounded down to the next whole number.

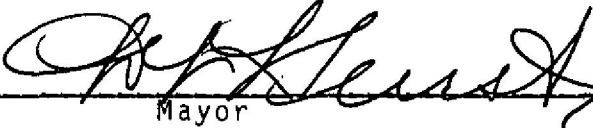
Section 2. If any section, subsection, sentence, clause, phrase, part, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. To the extent that the subject matter and provisions of this Ordinance are within the disapproval jurisdiction of the Houghton Community, 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 (60) days from the date of passage of this Ordinance.

Section 4. Except as provided in Section 5, this Ordinance shall be in force and take effect five (5) days from and after the date of passage by the City council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 14th day of January, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 14th day of January, 1980.



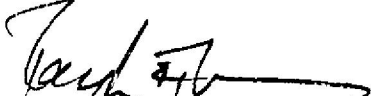
Mayor

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:



City Attorney