

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISIONS OF LAND, REQUIRING THE RESERVATION OR DEDICATION OF PARKS, RECREATION SITES, AND OPEN SPACES 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 No. 2178 as heretofore amended be and it hereby is 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 five (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 lands 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 on recording. The City need not approve the reservation or dedication if the size or location of the land to be reserved or dedicated will not make a suitable park, recreational or open space. The platlor who makes an offer of land reservation or dedication pursuant to this paragraph shall not be subject to paragraph (b) of this Section, regardless of the City's disposition of said offer of land.

(b) In lieu of offering the dedication of such area to the City of Kirkland the platlor may ~~(be required by the City)~~ elect to deposit in the 'In Lieu Park and Open Space Fund' an amount of money to be used solely for the purpose for which said fund was created. The amount so deposited shall be \$350.00 per new lot created.'

Section 2. Section 3.5.11 of Ordinance No. 2178 as heretofore amended be and it hereby is amended to read as follows:

"3.5.11 Parks, Recreation Sites and Open Spaces:

(a) All ~~(informal)~~ short subdivisions shall reserve to be held in common ownership or shall dedicate to the City of Kirkland, not less than five (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 ~~(formal)~~ short subdivision

plat prior to the final approving and recording. The City need not approve the reservation or dedication if the size or location of the land to be reserved or dedicated will not make a suitable park, recreational or open space. The plattor who makes an offer of land reservation or dedication pursuant to this paragraph shall not be subject to paragraph (b) of this Section, regardless of the City's disposition of said offer of land.

(b) In lieu of offering the dedication of such area to the City of Kirkland, the plattor may ~~(be required by the City)~~ elect to deposit in the 'In Lieu Park and Open Space Fund' an amount of money to be used solely for the purposes for which said fund account was created.

The amount to be so deposited shall be \$350.00 per new lot created.


Section 3. The amendatory provisions of this ordinance shall apply to all applications for subdivision and short subdivision of land on file with the City, on or after July 1, 1982, provided, however, that said amendatory provisions shall not apply to any subdivision or short subdivision for which preliminary approval has been given prior to July 1, 1982.

Section 4. 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 on 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 5. Except as provided in Sections 3 and 4, this ordinance shall be in force and effect five days from and after its passage by the Council and publication or posting is required by law.

Passed by the Kirkland City Council in regular meeting on the second day of August, 1982.

Signed in authentication thereof on the second day of August, 1982.



MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

11298

I, hereby certify under penalty of perjury that the foregoing Ordinance was posted on the 3 day of August, 1982 in accordance with the provisions of RCW 35A.22.260 and City of Kirkland Ordinance No. 2600.


Deputy City Clerk