

ORDINANCE NO. O-4706

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISIONS AND AMENDING SECTION 22.16 AND SECTION 22.28 OF THE KIRKLAND MUNICIPAL CODE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION; FILE NO. CAM19-00342.

1 WHEREAS, the City Council received a recommendation from
2 the Kirkland Planning Commission to amend Kirkland Municipal Code
3 (KMC), Title 22, Subdivisions, as set forth in the staff report dated
4 November 7, 2019, containing the recommendation of the Planning
5 Commission dated October 10, 2019 and bearing Kirkland Planning and
6 Building Department File No. CAM19-00342; and
7

8 WHEREAS, prior to making the recommendation to amend Title
9 22, Subdivisions, the Kirkland Planning Commission, following notice as
10 required by KMC 22.04.050, held a public hearing on October 10, 2019,
11 on the amendment proposals and considered the comments received at
12 the hearing; and
13

14 WHEREAS, pursuant to the State Environmental Policy Act
15 (SEPA), there has been a SEPA Addendum to Existing Environmental
16 Documents issued by the responsible official pursuant to WAC 197-11-
17 625; and
18

19 WHEREAS, in a public meeting on November 19, 2019, the City
20 Council considered the environmental documents received from the
21 responsible official together with the report and recommendation of the
22 Planning Commission,
23

24 NOW, THEREFORE, BE IT ORDAINED by the City Council of the
25 City of Kirkland as follows:
26


27 Section 1. Title 22, Sections 16 and 28 of the Kirkland Municipal
28 Code are amended as set forth in Exhibit A to this ordinance and
29 incorporated by reference.
30

31 Section 2. If any section, subsection, sentence, clause, phrase,
32 part or portion of this ordinance, including those parts adopted by
33 reference, is for any reason held to be invalid or unconstitutional by any
34 court of competent jurisdiction, such decision shall not affect the validity
35 of the remaining portions of this ordinance.
36

37 Section 3. This ordinance shall be in full force and effect five
38 days from and after its passage by the Kirkland City Council and
39 publication, pursuant to Kirkland Municipal Code 1.08.017, in summary
40 form attach to the original of this ordinance and by this reference
41 approved by the City Council as required by law.

42 Passed by majority vote of the Kirkland City Council in open
43 meeting this 19th day of November, 2019.

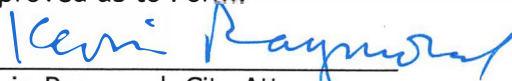
44
45 SIGNED IN AUTHENTICATION thereof this 19th day of
46 November, 2019.


Penny Sweet, Mayor

Attest:


Kathi Anderson, City Clerk

Approved as to Form:


Kevin Raymond, City Attorney

Publication Date: 11/25/19

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4706

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISIONS AND AMENDING SECTION 22.16 AND SECTION 22.28 OF THE KIRKLAND MUNICIPAL CODE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION; FILE NO. CAM19-00342.

SECTION 1. Provides amendments to the Kirkland Municipal Code.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 19th day of November, 2019.

I certify that the foregoing is a summary of Ordinance O-4706 approved by the Kirkland City Council for summary publication.



Kathi Anderson, City Clerk

Publication Date: 11/25/19

AMENDMENTS TO MUNICIPAL CODE TITLE 22, SUBSECTION 16

*Text to be added is in **bold and underlined**. Text to be removed is ~~crossed-out~~.*

~~22.16.100 Final plat approval within Houghton community council jurisdiction.~~

~~If the city council approves a final plat within the jurisdiction of the Houghton community council, that approval is not effective until:~~

~~(a) — A majority of the entire membership of the Houghton community council votes by resolution to approve it; or~~

~~(b) — The Houghton community council fails to disapprove it within sixty calendar days after the city council adopts the resolution granting the plat. The vote to disapprove the application must be approved by a majority of the entire membership of the community council.~~

22.16.110 Judicial review of city council action.

The action of the city in granting or denying a final plat may be reviewed pursuant to the standards set forth in RCW 36.70C.130 in King County Superior Court. The land use petition must be filed within twenty-one calendar days of the issuance of the final land use decision by the city on the final plat. The date of the final decision of the city is the date of passage of the city council ordinance or resolution constituting the city's final decision, ~~unless such city council decision is subject to the disapproval jurisdiction of the Houghton community council, in which case the petition for judicial review must be filed within twenty-one calendar days of the date of approval or disapproval action of the Houghton community council.~~

AMENDMENTS TO MUNICIPAL CODE TITLE 22, SUBSECTION 28

*Text to be added is in **bold and underlined**. Text to be removed is ~~crossed-out~~.*

22.28.042 Lots—Small lot single-family.

Within the RS and RSX 6.3, 7.2 and 8.5 zones, for those subdivisions not subject to the lot size flexibility provisions of Sections 22.28.030 and 22.28.040, low impact development provisions of Section 22.28.041, and historic preservation provisions of Section 22.28.048, the minimum lot area shall be deemed to be met if at least one-half of the lots created contain no less than the minimum lot size required in the zoning district in which the property is located. The remaining lots may contain less than the minimum required lot size; provided, that such lots meet the following standards:

- (a) Within the RS 6.3, RSX and RS 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSX and RS 8.5 zones, the lots shall be at least six thousand square feet.
- (c) Repealed by Ord. 4438.
- (d) The floor area ratio (FAR) shall not exceed thirty percent of lot size; provided, that FAR may be increased up to thirty-five percent of the lot size if the following criteria are met:
 - (1) ~~The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal.~~ **With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal;** and
 - (2) All structures are set back from side property lines by at least seven and one-half feet.
- (e) The FAR restriction shall be recorded on the face of the plat.
- (f) Accessory dwelling units are prohibited. This restriction shall be recorded on the face of the plat.