

ORDINANCE NO. O-4716

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISION OF LAND AND AMENDING ORDINANCE NO. 3705 AS AMENDED, THE KIRKLAND SUBDIVISION ORDINANCE AND APPROVING A SUMMARY FOR PUBLICATION FILE NO. CAM19-00282.

1 WHEREAS, the City Council has received a recommendation from
2 the Kirkland Planning Commission to amend certain sections of the text
3 of the Kirkland Subdivision Ordinance, Ordinance 3705 as amended, all
4 as set forth in that report and recommendation of the Planning
5 Commission dated February 21, 2020 and bearing Kirkland Planning and
6 Building Department File No. CAM19-00282; and
7

8 WHEREAS, prior to making the recommendation, the Kirkland
9 Planning Commission and the Houghton Community Council, following
10 notice as required by RCW 36.70A.035, on January 23, 2020, held a
11 joint public hearing on the amendment proposals. The Houghton
12 Community Council considered the comments received at the hearing
13 and developed a recommendation to the Planning Commission at its
14 meeting on January 27, 2020, and the Planning Commission considered
15 the comments received at the hearing and the recommendation of the
16 Houghton Community Council and developed its recommendation to
17 City Council on February 13, 2020; and
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19 WHEREAS, pursuant to the State Environmental Policy Act
20 (SEPA) there has accompanied the legislative proposal and
21 recommendation through the entire consideration process, a SEPA
22 Addendum to Existing Environmental Documents issued by the
23 responsible official pursuant to WAC 197-11-625; and
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25 WHEREAS, in open public meeting the City Council considered
26 the environmental documents received from the responsible official,
27 together with the recommendations of the Planning Commission and the
28 Houghton Community Council.
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30 NOW, THEREFORE, the City Council of the City of Kirkland do
31 ordain as follows:
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33 Section 1. Subdivision Ordinance text amended: The following
34 specified sections of the text of Ordinance 3705 as amended, the
35 Kirkland Subdivision Ordinance, be and they hereby are amended to
36 read as follows:
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38 As set forth in Attachment A which by this reference is
39 incorporated herein.
40

41 Section 2. If any section, subsection, sentence, clause, phrase,
42 part or portion of this ordinance, including those parts adopted by
43 reference, is for any reason held to be invalid or unconstitutional by any
44 court of competent jurisdiction, such decision shall not affect the validity
45 of the remaining portions of this ordinance.

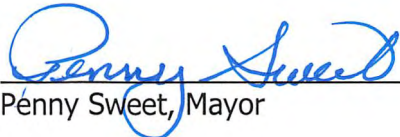
46
47 Section 3. The subject matter of this ordinance, pursuant to
48 Ordinance 2001, is subject to the disapproval jurisdiction of the
49 Houghton Community Council, this ordinance shall be deemed approved
50 within the Houghton Municipal Corporation only upon approval of the
51 Houghton Community Council or the failure of said Community Council
52 to disapprove this ordinance within 60 days of the date of the passage
53 of this ordinance. The effective date of this ordinance is set forth in
54 Section 4 below.

55
56 Section 4. Except as provided in Section 3, This ordinance shall
57 be in full force and effect ninety days from and after its passage by the
58 Kirkland City Council and publication, in the summary form attached to
59 the original of this ordinance and by this reference approved by the City
60 Council, as required by law.

61
62 Section 5. A complete copy of this ordinance shall be certified
63 by the City Clerk, who shall then forward the certified copy to the King
64 County Department of Assessments.

 Passed by majority vote of the Kirkland City Council in open
meeting this 17 day of March, 2020.

 Signed in authentication thereof this 17 day of March, 2020.




Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk

Approved as to Form:



Kevin Raymond, City Attorney

Publication Date: 03/23/20

22.28.042 Lots—Small lot single-family. Amended Ord. 4706

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; 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.

. . . (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4372 § 2 (Att. B) (part), 2012: Ord. 4332 § 1(C) (Exh. C), 2011: Ord. 4330 § 1 (Exh. A), 2011: Ord. 4102 § 1(A), 2007)

22.28.048 Lots—Historic preservation.  

Within the low density zones listed below in subsections (a) through (d) of this section, 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 the small lot single-family provisions of Section 22.28.042, the minimum lot area shall be deemed to be met if no more than two lots are created that contain less lot area than the minimum size required in the zoning district in which the property is located, and if an “historic residence” is preserved on one of the lots, pursuant to the process described in Chapter 75 KZC. The lots containing less than the minimum required lot area shall meet the following standards:

- (a) Within the RSA 6, RS 6.3 and RS and RSX 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSA 4, RS 8.5 and RSX 8.5 zones, the lots shall be at least six thousand square feet.
- (c) Within the RS 12.5, RSX 12.5 and WDII zones, the lots shall be at least seven thousand two hundred square feet.
- (d) Within the RS and RSX 35 zones not located north or northeast of the Bridle Trails State Park, the lots shall be at least fifteen thousand fifty square feet.
- (e) *Repealed by Ord. 4438.*

Lots containing historic residences shall also meet the following standards:

- (g) If a historic residence is destroyed, damaged, relocated, or altered inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Rehabilitation) (Code of Federal Regulations, 36 CFR Part 68), the replacement structure shall be reconstructed in accordance with the criteria established in KZC 75.105. The replacement restriction shall be recorded on the face of the plat.
- (h) As part of subdivision approval, the city may allow the following modifications to regulations in the Kirkland Zoning Code regarding minimum required yards, maximum lot coverage, and floor area ratio on the lot containing the historic residence if the modifications are necessary to accommodate the historic residence.
 - (1) Required yards may be two feet less than required by the zoning district as shown on the Kirkland zoning map.
 - (2) Floor area ratio may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.
 - (3) Lot coverage may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.
- (i) At the time of recording the plat, a notice of applicable restrictions for the lot containing the designated historic residence shall be recorded. (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4372 § 2 (Att. B) (part), 2012: Ord. 4102 § 1(B), 2007)