

ORDINANCE NO. 2980

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SUBDIVISION OF LAND, INCLUDING THE SHORT SUBDIVISION OF LAND AND AMENDING ORDINANCE 2766 AS AMENDED, THE KIRKLAND SUBDIVISION ORDINANCE (FILE NO. IV-86-13).

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland Subdivision Ordinance, Ordinance 2766 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated July 31, 1986 and bearing Kirkland Department of Planning and Community Development File No. IV-86-13; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on July 31, 1986, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of non-significance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

Whereas, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission.

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

Section 1. Zoning text amended: The following specified sections of the text of Ordinance 2740 as amended, the Kirkland zoning ordinance, be and they hereby are amended to read as follows:

4.25 Access

1. All lots must have direct legal access to either a right-of-way or a private access roadway meeting the requirements of this Chapter. The City will determine whether access will be by right-of-way or private access roadway on a case-by-case basis.
2. An owned access of 15' minimum width may serve one lot only. The area of the access strip shall not be included in the computation of the lot area, and may be used for dimensional requirement for lot width at the building line.

~~3. If an easement is used to provide access, the area of the easement shall not be included in the computation of the lot area for the servient lot unless the easement serves no more than two adjoining lots which both front on the same right-of-way, and the Planning Official determines that the easement provides for superior circulation and does not significantly reduce the usable area of either lot.~~

3. The area of an access easement shall not be included in the computation of the lot area for the servient lot if the easement serves more than one lot which does not abut a right-of-way.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, 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. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this ordinance and the permit herein granted, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council; and therefore, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication (as required by law).

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of September, 1986.

Signed in authentication thereof this 15th day of September, 1986.

ATTEST:

MAYOR

Tam J. Adria
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Raymond
City Attorney