

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KMC TITLE 22 (SUBDIVISIONS) RELATING TO APPEALS OF SHORT PLATS AND UPDATING DEFINITIONS.

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

Section 1. KMC Chapter 22.20, entitled Short Subdivisions, is hereby amended by the addition of a new Section 22.20.345 to read as follows:

**22.20.245 Appeal to City Council -- When.**

- (a) The City Council will decide an appeal of the Planning Director's decision on a short subdivision under the following circumstances:
- (1) As approved by the Planning Director, the short plat would result in the dedication of a new through public right-of-way (including right-of-way designed for future connection); or
  - (2) The proposed short plat included a request for modification using the provisions of Chapter 22.24 for "innovative or unusual plats".
- (b) In the above circumstances, this Section will govern the procedure for decision on appeal of the Planning Director's decision on a short subdivision. Such appeals will be heard and decided by the City Council rather than by the Hearing Examiner. The procedures set forth in Sections 22.20.190 through 22.20.340 will still apply to the appeal, except that whenever the term "Hearing Examiner" appears in those sections, the term "City Council" will be substituted.

Section 2. KMC 22.08.250 is hereby amended as follows:

**22.08.250 Subdivision.**

"Subdivision" means the division or redivision of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, or lease, or transfer of ownership ~~and shall include all~~ resubdivision of land.

Section 3. KMC 22.08.220 is hereby amended as follows:

**22.08.220 Short Subdivision.**

"Short subdivision" means the division or redivision of land into nine or ~~less~~ fewer lots, tracts, parcels, sites or subdivisions for the purpose of sale, or lease, or transfer of ownership and ~~shall include all short subdivision of land.~~

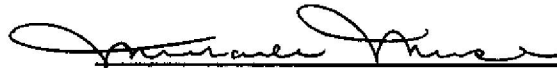
Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, 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.

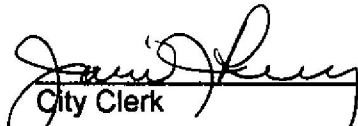
Section 6. Except as provided in Section 5, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 21st day of July, 1998.


Signed in authentication thereof this 21st day of July, 1998.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

Ord\shptt