

ORDINANCE 4087

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 (THE KIRKLAND ZONING CODE) OF THE KIRKLAND MUNICIPAL CODE; AMENDING CERTAIN PROVISIONS RELATING TO FLOOR AREA RATIOS (F.A.R.) FOR DETACHED DWELLING UNITS IN LOW DENSITY RESIDENTIAL ZONES, AND AMENDING PORTIONS OF CHAPTER 115 KZC (MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS) (FILE NO. ZON05-00019).

WHEREAS, on November 8, 2006, the Kirkland City Council adopted Ordinance No 4065 which amended zoning regulations pertaining to maximum Floor Area Ratios for detached dwelling units in low density zones; and

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. KZC 115.42 is hereby amended to read as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
  - a. Attic area with less than five feet of headroom.
  - b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23);
  - c. On lots less than 8,500 square feet, the first 500 square feet of an Accessory Dwelling Unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures); provided that, the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R..
  - d. On lots greater than or equal to 8,500 square feet, the first 800 square feet of an Accessory Dwelling Unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures); provided that, the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R.
  - e. Uncovered and covered decks, porches, and walkways.

- 2. Floor area with a ceiling height greater than 16 feet shall be calculated as follows:
  - a. The first 100 square feet of such floor area, in aggregate, shall be calculated only once toward allowable F.A.R.;
  - b. Floor area in excess of the first 100 square feet shall be calculated at twice the actual floor area toward allowable F.A.R.
- 3. *This section is not effective within the disapproval jurisdiction of the Houghton Community Council.*

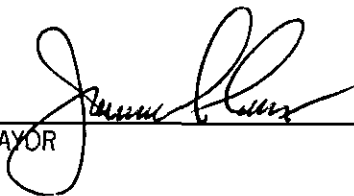
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining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

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.


Section 4. The City Clerk's Office will forward a complete copy of this ordinance to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 6th day of March, 2007.

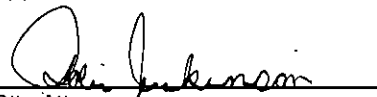
Signed in authentication thereof this 6th day of March, 2007.

  
 \_\_\_\_\_  
 MAYOR

Attest:

  
 \_\_\_\_\_  
 City Clerk

Approved as to Form:

  
 \_\_\_\_\_  
 City Attorney