

ORDINANCE NO. O-4330

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 22.28.042 – LOTS - SMALL LOT SINGLE FAMILY TO INCLUDE THE CENTRAL HOUGHTON NEIGHBORHOOD AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON09-00016.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend the Municipal Code, as set forth in that certain report and recommendation of the Planning Commission and Houghton Community Council for the Central Houghton Neighborhood dated September 7, 2011 and bearing Kirkland Department of Planning and Community Development File No. ZON09-00016; and

WHEREAS, prior to making said recommendation the Planning Commission and Houghton Community Council, following notice thereof as required by RCW 35A.63.070 and RCW 36.70A.035, held a public hearing on June 23, 2011 on the amendment proposal and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued on June 15, 2011 by the responsible official pursuant to WAC 197-11-625; 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 and Houghton Community Council;

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

Section 1. The following specific portions of the Municipal Code are hereby amended to read as follows:

Section 22.28.042 – Lots – Small lot single-family. as set forth in Exhibit A attached to this ordinance and incorporated by reference.

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 full force and effect January 1, 2012, which will be more than five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of November, 2011.

Signed in authentication thereof this 15th day of November, 2011.



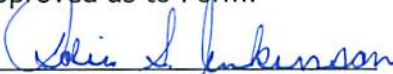
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

22.28.042 Lots—Small lot single-family.

In the Central Houghton, Market and Norkirk neighborhoods, as defined in the comprehensive plan, for those subdivisions not subject to the lot size flexibility provisions of Sections 22.28.030 and 22.28.040 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 and RS 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RS 8.5 zone, the lots shall be at least six thousand square feet.
- (c) The portion of any flag lot that is less than thirty feet wide, and used for driveway access to the buildable portion of the lot may not be counted in the lot area.
- (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.
- (f) Accessory dwelling units are prohibited. This restriction shall be recorded on the face of the plat. (Ord. 4102 § 1(A), 2007)

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4330

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Section 1. Amends the following specific portions of the Municipal Code:

- A. Section 22.28.042 – Lots – Small lot single-family to include the Central Houghton Neighborhood.

Section 2. Provides a severability clause for the ordinance.

Section 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as January 1, 2012, which will be more than five days after publication of summary.

Section 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

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 15th day of November, 2011.

I certify that the foregoing is a summary of Ordinance O-4330 approved by the Kirkland City Council for summary publication.



City Clerk