

*Repealed by 3935*

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CENTRAL BUSINESS DISTRICT AND PROVIDING FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF PARKING FACILITIES TO BE FINANCED THROUGH THE PROVISION OF FUNDS AS AN ALTERNATIVE TO PROVIDING OFF-STREET PARKING FACILITIES IN ACCORDANCE WITH CHAPTER 23.34 OF ORDINANCE NO. O-2183, AS AMENDED (THE ZONING ORDINANCE).

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

Section 1. Findings of the Kirkland City Council: Studies and recommendations made to the City Council by the Central Business District Advisory Committee and Naramore, Bain, Brady & Johanson, consultants to the City in preparation of a Central Business District element for the City's Comprehensive Land Use Policy Plan, indicate that the Kirkland Central Business District area has special historic, cultural, economic and environmental significance.

The City Council of the City of Kirkland finds therefore, that the development of land use policies, goals, and regulations, as well as their implementation, including improvements, both public and private for the Central Business District involve identification and balancing of many interrelated factors, including economic, marketing, social, environmental, urban design and pedestrian and vehicular circulation.

The Council further finds:

1. Pedestrian access, circulation and orientation are necessary and desirable to the continued economic, social and environmental vitality of the Central Business District.
2. Nevertheless, there exists a need for some improvement in design and layout of on-site parking and for additional off-street parking as required by the Kirkland Zoning Ordinance in regard to the Central Business District.
3. Within certain areas of the Central Business District on-site location and development of such required additional off-street parking, is not in the public interest.
4. Development and improvement of off-street off-site parking facilities to be shared for the purpose of meeting the requirements, both public and private, of off-street parking is a desirable and feasible alternative and improves the safety and free flow of both pedestrian and vehicular traffic.
5. Development and improvement of municipal off-street parking facilities consistent with the plans for public improvements, including improvements in design and layout of some on-street parking as well as off-street parking and recommendations for private improvements embraced within the Central Business District element of the

Comprehensive Land Use Policy Plan, and financing of such public improvements and facilities through the provision of funds as an alternative to providing required on-site off-street parking is a public purpose.

Section 2. Off-Street Parking Fund Created. There is hereby created a special fund in the City Treasury to be known as the Central Business District Off-Street Parking and Public Improvement Cumulative Reserve Fund. Payment of funds as permitted or required under Section 23.34.031 of Ordinance No. 2183, as amended, (the Zoning Ordinance) to be made to the City shall, upon receipt, be deposited in said fund. The City Council may, by unanimous vote from time to time, direct that other monies be transferred into the fund to be used for the purposes of the fund.

Pursuant to the authority given to the City Council by RCW 35A.11.020, the fund shall not be used to finance parking facility public improvements unless such public improvements have been authorized for construction pursuant to the provisions of RCW 35.27.550 through RCW 35.27.600, inclusive, relating to off-street parking facilities in fourth class towns, or pursuant to RCW Chapter 35.43 relating to the creation of local improvement districts.

The fund shall further be used exclusively for acquisition, design, construction, development, financing, maintenance, and operation of off-site parking facilities and other interrelated public improvements within or immediately adjacent to the Central Business District, all consistent with the Land Use Policies Plan and the Master Plan and Design Patterns for the Central Business District, as provided for in Ordinance No. 2412 (amendment to the Land Use Policies Plan).

Within applicable constitutional limitations imposed upon the City and the City Council in regard to the creation of indebtedness, the fund may be used for the acquisition of property by condemnation, purchase or lease for such parking facilities or for the repayment of general or limited general obligation bonds, off-street parking revenue bonds, or local improvement district bonds where the proceeds of said bonds were used in whole or in part for acquisition, design, construction, development, or maintenance and operation of such parking facilities.

Section 3. Duties of Advisory Committee. The Central Business District Advisory Committee heretofore established by Resolution No. R-2213 shall present recommendations to the City Council as to the following:

A. Within 60 days after the effective date of the Ordinance, the Committee shall recommend the dollar amount of the "value per stall" as specified in Section 23.34.031(2) of Ordinance No. 0-2183, as amended (the Zoning Ordinance).

B. The location and development plans for off-street parking facilities to be acquired, constructed or developed by the City, subject to the provisions of the Master Plan and Design Patterns for the Central Business District, as provided in Ordinance No. 2412 .

Ord. 2410

C. The general type of parking facilities to be acquired, constructed or developed by the City, subject to the provisions of the Master Plan and Design Patterns for the Central Business District, as provided in Ordinance No. 2412.

D. Methods of providing additional off-street parking or on-street parking within the Central Business District.

Section 4. Duties of City Council - Establishment of Rate.  
The City Council shall, following recommendation from the Advisory Committee, establish by ordinance the value per parking stall together with the procedures and terms for payment in accordance with the provisions of Section 23.34.031(2) of Ordinance No. 0-2183, as amended (the Zoning Ordinance).

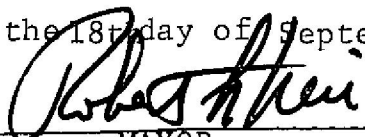
The City Council, following review and recommendation by the Advisory Committee, not less often than once every three years, may adjust the amount of the value per stall. An adjusted value per stall shall apply only to property owners who elect to use the optional provision of Section 23.34.031(2) of Ordinance No. 0-2183, as amended (the Zoning Ordinance) subsequent to the effective date of the adjustment. In making the adjustment, the City Council shall take into consideration factors deemed relevant which may include:

- A. The annual construction cost index.
- B. The annual real estate appreciation or depreciation.
- C. The prevailing local commercial rents.
- D. Prevailing current interest rates.
- E. Cost of operation and maintenance of off-street parking facilities.

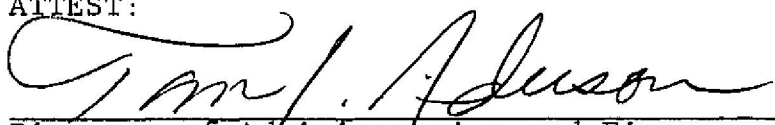
Section 5. Effective Date. This Ordinance shall be in force and take effect five days from and after its passage by the Council and the publication as required by law.

Passed by the City Council of the City of Kirkland, on the 18th day of September, 1978.

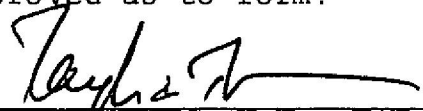
SIGNED in authentication thereof on the 18th day of September, 1978.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

Approved as to form:

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

Ord. 2410