

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE INTERIM RESTRICTION ON ACCEPTING, PROCESSING AND ISSUING BUILDING PERMITS IN THE DOWNTOWN AREA FOR DEVELOPMENT ACTIVITY EXCEEDING 35 FEET IN HEIGHT.

Whereas, the City has the authority to adopt interim regulations pursuant to RCW 35A.63.220; and

Whereas, the Kirkland City Council has determined that there is a need for interim restriction of building height on development in the Central Business Districts 1 through 8 ("Downtown Area") pending revision of the City's design regulations regarding the bulk, mass and height of buildings and structures in the Downtown Area; and

Whereas, pursuant to RCW 35A.63.220, a public hearing on the regulations contained herein has been held by the Kirkland City Council;

Now, therefore, be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The Kirkland City Council hereby makes the following findings:

(A) The City's goal, as stated in its Comprehensive Plan, is for development in the Downtown Area to occur on a human scale consistent with the concept of an urban village;

(B) Recent development in the Downtown Area has not been consistent with the City's goal of a human scale Downtown Area because such projects have had excessive height, mass and bulk;

(C) Current Downtown Area design regulations as to height, mass and bulk are in the process of being revised to more effectively further the City's goal of a human scale Downtown Area;

(D) Until revisions to the Downtown Area design regulations are complete, there is a need to restrict development projects exceeding 35 feet in height so that further development that is inconsistent with the City's goals does not take place.

Section 2. The City of Kirkland shall not accept or process any building permit application or issue any building permit for the construction or remodel of buildings or structures more than 35 feet above average building elevation or existing grade in the Downtown Area unless the applicant has, on file with the City, a complete application for a building permit before this Ordinance takes effect. *Provided that*, this Ordinance does not apply to building permit applications for the remodel of an existing building or structure that is

more than 35 feet above average building elevation or existing grade if the proposed remodel will not result in an increase in the height of any portion of the building or structure.

Section 3. This Ordinance shall be effective for six months. This Ordinance may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

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. 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.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of April, 1997.


Signed in authentication thereof this 15th day of April, 1997.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

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