

ORDINANCE 3879

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO INTERIM REGULATION OF OUTDOOR USE AND ACTIVITY AS IT RELATES TO COVERED AREAS FOR SIDEWALK CAFES.

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 regulation of outdoor use and activity as it relates to covered areas for sidewalk cafes; and

Whereas, pursuant to RCW 35A.63.220, a public hearing was held prior to the adoption of this ordinance;

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

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

- a. Interim regulations allowing covered sidewalk cafes will further promote Kirkland business districts as pedestrian and people-oriented area; and
- b. The interim regulation will bring more pedestrians and business activity to Kirkland business districts during the slow business season; and
- c. Any potential parking impacts from increased use of sidewalk cafes would occur during the season when there is less demand for existing parking resources.

Section 2. Outdoor Use, Activity, and Storage. Those sidewalk cafes holding valid street use permits, pursuant to Section 19.04.061 of the Kirkland Municipal Code, shall be exempt from the requirements of Kirkland Zoning Code Section 115.105.2.c.(6) as it relates to any requirement for additional parking requirements.

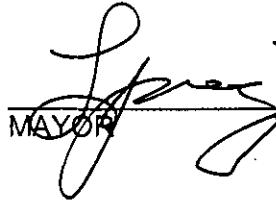
Section 3. Duration. This Ordinance shall be effective for four months. This Ordinance may be renewed for periods of up to six-months each if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 4. Severability. 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 open meeting this 18th day of February, 2003.

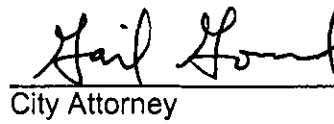
Signed in authentication thereof this 18th day of February, 2003.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney