

ORDINANCE 3996

AN INTERIM ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING PROVISIONS IN CENTRAL BUSINESS DISTRICT ZONES 1, 2, AND 8. AND MODIFYING SECTION 50.60 OF THE KIRKLAND ZONING CODE

WHEREAS, the City has the authority to adopt interim zoning ordinances pursuant to RCW 35A.63.220 and 36.70A.390; and

WHEREAS, the Kirkland City Council has determined that there is a need for an interim zoning ordinance modifying the parking requirements for Central Business District ("CBD") Zones 1,2 and 8; and

WHEREAS, pursuant to RCW 35A.63.220 and 36.70A.390, a public hearing on this interim ordinance shall be held within 60 days of 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:

a. The purpose and intent of this Ordinance is to: (1) increase the fee-in-lieu rate charged for required parking stalls under Kirkland Zoning Code ("KZC") Section 50.60.4.b.1; (2) provide that the fee-in-lieu option of meeting parking requirements is available to applicants only with City approval.

b. Raising the fee-in-lieu rate from \$6,000 to \$20,000 per parking stall is appropriate because the \$6,000 rate has been in place since 1982 and the rate increase will more accurately reflect the current cost of parking development.

c. An applicant's ability to use the fee-in-lieu option should be subject to certain limits and criteria. Use of the option to meet a parking obligation for more than ten parking stalls should require City approval based on whether the City has plans or provisions to expend the fee in a manner consistent with Section 5.50.020 (Off-Street Parking Fund) of the Kirkland Municipal Code.

d. The City is currently implementing a work plan to develop zoning code amendments that specifically address parking in Zones 1, 2 and 8 of the CBD;

e. Until permanent amendments to KZC Section 50.60 regarding parking in Zones 1, 2 and 8 of the CBD can be implemented, there is a need for an interim ordinance.

Section 2. The fee-in-lieu charged for required parking stalls under KZC Section 50.60.4.b shall be \$20,000 per required parking stall or fraction of a stall.

Section 3. An applicant may not use the fee-in-lieu option set forth at KZC Section 50.60.4.b for more than ten required parking spaces without City approval. The City shall base its decision whether to grant approval on whether the City has current plans or programs in place to provide or upgrade municipal off-street parking within the CBD, Planned Areas 6 or 7 Zones, or park/public use zones located adjacent to the CBD. Plans and programs shall include Capital Improvement Program projects for future off-street parking. The City's decision shall be made by the Planning Director as part of the permit process for the applicant's project. The director may approve the request, reject the request, or approve a lesser amount than requested.

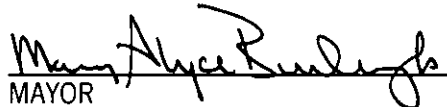
Section 4. This Ordinance shall go into effect as an interim zoning ordinance and shall be effective for six months and thereafter may be renewed for one or more six month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 5. 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 6. Emergency Ordinance. This is an emergency Ordinance necessary for the protection of the public health and safety and shall be in force and effect immediately upon passage by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of June, 2005.

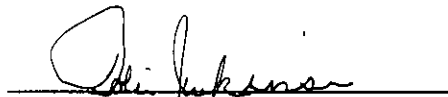
Signed in authentication thereof this 7th day of June, 2005.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney