



CITY OF KIRKLAND

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MEMORANDUM

To: Dave Ramsay, City Manager

From: Jeremy McMahan, Planning Supervisor
Eric Shields, Planning Director

Date: November 2, 2005

Subject: Public hearing to extend interim fee-in-lieu of parking ordinance (originally adopted as O-3996), File No. MIS05-00019

Recommendation

Hold public hearing to receive testimony on extending the interim fee-in-lieu of parking ordinance. Adopt the interim ordinance for another six-month period.

Background

On June 7, 2005, the City Council adopted Ordinance 3996 as an interim ordinance modifying the fee-in-lieu parking provisions of the Kirkland Zoning Code. The ordinance increased the parking in-lieu fee (Kirkland Zoning Code Section 50.60.4, attached) from \$6,000 to \$20,000 per stall and established the fee-in-lieu option for more than 10 stalls as being at the City's discretion, rather than its current status as a development right. The City Council held a public hearing on the interim ordinance on July 19, 2005. The ordinance is set to expire on December 7, 2005.

No fee-in-lieu requests have been filed or are currently anticipated under the interim ordinance.

ORDINANCE 4016

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE FIRST RENEWAL OF INTERIM PARKING REGULATIONS IN CENTRAL BUSINESS DISTRICT ZONES 1, 2, AND 8.

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 at its June 7, 2005 Council meeting 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 adopted an interim zoning ordinance at said meeting by Ordinance No. 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 Kirkland City Council desires to extend the interim zoning ordinance for an additional six month period; 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:

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. Section 4 of Ordinance 3996 is amended to renew its effect as an interim zoning ordinance for an additional six months. The interim zoning ordinance 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 3. 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 4. 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 _____ day of _____, 2005.

Signed in authentication thereof this _____ day of _____, 2005.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney