

ORDINANCE 4297

AN INTERIM ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING AND PROVIDING INTERIM OFFICIAL CONTROLS REGARDING THE USE OF EXISTING ELECTRONIC READERBOARD SIGNS AT GOVERNMENT FACILITIES IN THE "P" ZONE OF THE CITY OF KIRKLAND.

WHEREAS, the City of Kirkland ("City") allows electronic readerboard signs at certain government facilities in the City, such as fire stations and public high schools; and

WHEREAS, the City Council will consider whether to allow electronic readerboard signs at community facilities (as defined in Kirkland Zoning Code Section 5.10.153) within the "P" Zone of the City; and

WHEREAS, there is an existing electronic readerboard sign at the North Kirkland Community Center ("NKCC"), which is a community facility located in the "P" Zone of the City; and

WHEREAS, the City Council would like to authorize use of the existing electronic readerboard sign for emergency purposes on an interim basis while it considers permanent zoning regulations regarding electronic readerboard signs; and

WHEREAS, the City Council held a public hearing on April 5, 2011; and

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

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

Section 1. Existing electronic readerboard signs located at community facilities (as defined in Kirkland Zoning Code 5.10.153) within the "P" Zone of the City of Kirkland may be utilized for the purpose of displaying emergency messages only. The City Manager or his designee shall make the determination of when the sign should be utilized for emergency purposes and shall approve the text of the message to be displayed. Use of the electronic readerboard sign shall comply with all of the provisions of Kirkland Zoning Code Section 49.15.030, special regulation 2, except for special regulation 2(e), which is superseded by this Section.

Section 2. Findings of Fact.

- A. The recitals set forth above are hereby adopted as findings of fact.
- B. A permit was issued by the City for the electronic readerboard sign at the NKCC with the mistaken belief that

electronic readerboard signs are allowed at community facilities in "P" Zones.

- C. It is appropriate to allow limited use of the existing electronic readerboard sign at the NKCC for emergency purposes on an interim basis while the City Council considers permanent zoning regulations with respect to electronic readerboard signs at community facilities.

Section 3. The interim regulations adopted by this Ordinance shall continue in effect for a period of up to one hundred eighty (180) days from the effective date of this Ordinance, unless repealed, extended, or modified by the City Council. The Council may adopt extensions of this Ordinance after any required public hearing pursuant to RCW 35A.63.220 and RCW 36.70A.390.

Section 4. Severability. Should any provision of this Ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to any other persons or circumstances shall not be 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 5th day of April, 2011.

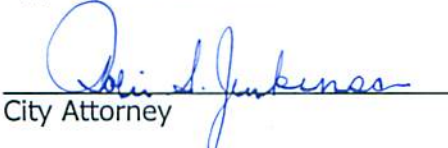
Signed in authentication thereof this 5th day of April, 2011.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney