

**ORDINANCE O-4342**

**AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, ADOPTING INTERIM ZONING REGULATIONS FOR THE REVIEW PROCESS FOR CITY COUNCIL INITIATED AMENDMENTS TO THE ZONING CODE IN LIGHT INDUSTRIAL TECHNOLOGY (LIT) AND PLANNED AREA 6G (PLA 6G) ZONES.**

WHEREAS, the City Council received a letter from the owner of property located within a Light Industrial Technology (LIT) Zone; and

WHEREAS, the letter states that the property owner is currently in discussions with its tenant in the LIT Zone about expanding the tenant's operations in the City; and

WHEREAS, the property owner is exploring the development potential for properties in the LIT and Planned Area 6G (PLA 6G) Zones that could meet the present and future needs of the tenant; and

WHEREAS, the ability to provide sufficient space to accommodate the tenant's growth could be critical to the tenant's near term decision to remain it in its current location as well as any future locations within the City; and

WHEREAS, the Economic Development Element of the Kirkland Comprehensive Plan contains numerous policies supporting economic development, including but not limited to the following:

- Policy ED-2.3, "Foster a culture of creativity and innovation."
- Policy ED-2.4, "Consider the economic effects on businesses and the economic benefit to the community when making land use decisions."
- Policy ED-3.3, "Encourage infill and redevelopment of existing commercial areas consistent with the role of each commercial area."
- Policy ED-4.1, "Enhance the competitive advantage of Kirkland businesses;" and

WHEREAS, the letter requests that the City review the current zoning regulations in the LIT and the PLA 6G Zones and consider whether Zoning Code amendments eliminating the restriction on the number of stories, while maintaining existing height limits, and eliminating the greater height restrictions adjoining institutional uses in low density zones should be adopted to encourage future high-technology development; and

WHEREAS, due to the workload of the Planning Commission and the time sensitivity created by the tenant's need to make a decision in two to three months, it would be beneficial to have the City Council conduct the review of any City Council initiated amendments to the Zoning Code without receiving a recommendation and report from the Planning Commission; and

WHEREAS, the City Council finds it in the public interest to adopt an interim zoning regulations which will enable the City Council to carefully and thoroughly review Council initiated amendments to the Zoning Code; and

WHEREAS, the City has the authority to adopt interim zoning regulations 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. Interim Zoning Regulations. As interim zoning regulations, for amendments to the Kirkland Zoning Code initiated by the City Council for Light Industrial Technology (LIT) and Planned Area 6G (PLA 6G) Zones, the City Council shall hold a public hearing using the process described in KZC 160.40 for notice; KZC 160.45 for staff report; KZC 160.55, 160.65 and 160.70 for public hearing; and KZC 160.90 for publication and effect. The Planning Official shall notify the Planning Commission in writing about the proposed amendment to the Zoning Code at least 14 days before the public hearing.

Section 2. Duration of Interim Regulations. The interim regulations imposed 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.

Section 3. Public Hearing. Pursuant to RCW 35A.63.220, the City Council shall hold a public hearing on these interim regulations within sixty (60) days of its adoption, or no later than February 10, 2012, to hear and consider public comment. Following such hearing, the City Council may adopt findings of fact and may extend the interim regulations for a period of up to six (6) months. If a period of more than six months is required to complete consideration of any amendments to the Zoning Code, the Council may extend this Ordinance after any required public hearing, pursuant to RCW 35A.63.220 and RCW 36.70A.390.

Section 4. Findings of Fact. The recitals set forth on page 1 above are hereby adopted as findings of fact.

Section 5. 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 any other persons or circumstances shall not be affected.

Section 6. Effective Date. 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 12th day of December, 2011.

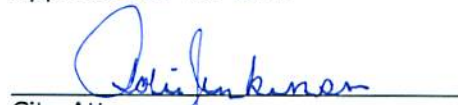
Signed in authentication thereof this 12th day of December, 2011.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney