



**CITY OF KIRKLAND**  
**Planning and Community Development Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

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**MEMORANDUM**

**To:** Marilynne Beard, Interim City Manager

**From:** Eric Shields, Planning Director  
Nancy Cox, Development Review Manager

**Date:** May 20, 2010

**Subject:** RENEWAL OF AN INTERIM ORDINANCE TO EXTEND LAND USE PERMIT APPROVALS DURING THE ECONOMIC DOWNTURN

**RECOMMENDATION**

Staff recommends that the City Council hold a public hearing and consider renewing an Interim Ordinance that extends approval periods for land use permits. The extension opportunity is available to applicants with pending zoning permits and plats. The Interim Ordinance has been in effect for 180 days. Staff recommends that the Council consider renewing it for another 180 days.

**BACKGROUND DISCUSSION**

Early in 2009, the Master Builders Association addressed the MyBuildingPermit.com management committee requesting that cities and counties adopt temporary ordinances to extend building and land use permits to address the severe hardship due to the local and national economy. Kirkland's Economic Development staff heard the same comments when they spoke with developers and commercial brokers on a different occasion. In April 2009 the City Council passed an ordinance extending the timeframes for building and grading permits.

**Economic Development Committee Review**

The idea of land use permit extensions came up again during a City Council meeting in September, 2009 and subsequently was brought to the Economic Development Committee. After reviewing information about what other jurisdictions were doing, the Economic Development Committee directed staff to take a land use permit extension ordinance to the full Council for consideration.

### Zoning Permits

The Interim Ordinance extends the time by one year an applicant has to: 1) start construction or submit a complete building permit, or 2) complete construction. The Interim Ordinance does not allow an applicant to extend both periods. It does not apply to permits that have expired.

### Subdivision Permits

The Interim Ordinance addresses Kirkland Municipal Code provisions related to increasing the time an applicant has to get a plat recorded from 4 years to 6 years. It does not apply to permits that have expired.

### Use in First Six Months

Seven (7) short plat applicants and two (2) zoning permit applicants have taken advantage of the extension opportunity.

cc: File MIS09-00022

ORDINANCE NO. 4242

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, PROVIDING INTERIM OFFICIAL CONTROLS REGARDING LAND USE PERMIT EXTENSIONS, FILE NO. MIS09-00022, AS ADOPTED BY ORDINANCE 4219, AND EXTENDING ORDINANCE 4219 THROUGH DECEMBER 1, 2010.

WHEREAS, the City Council has the authority to adopt interim regulations pursuant to RCW35A.63.220 AND 36.70A.390; and

WHEREAS, by Ordinance No. 4219 passed on December 1, 2009 after holding a public hearing, the City Council adopted interim regulations that extend land use approvals; and

WHEREAS, on June 1, 2010, the City Council held a public hearing on renewal of Ordinance No. 4219 through December 1, 2010; and

WHEREAS, the City Council desires to renew Ordinance No. 4219 through December 1, 2010;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Findings of Fact. The City Council hereby adopts the findings of fact made in Ordinance No. 4219 by reference. The City Council further finds that renewal of Ordinance No. 4219 through December 1, 2010 is necessary in order to help mitigate the impacts of the current economic downturn.

Section 2. Extension of Ordinance 4219. Ordinance 4219 is hereby renewed, to remain in effect through December 1, 2010. Ordinance 4219 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. Houghton Community Council. To the extent the subject of this Ordinance, pursuant to Ordinance No. 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this Ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Ordinance within 60 days of the date of passage of this Ordinance.

Section 4. Effective Date. Except as provided in Section 3, this Ordinance shall be in effect five days from and after its passage by the Kirkland City Council and publication, pursuant to Kirkland Municipal Code 1.08.017.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this first day of June, 2010 and approved by the City Council as required by law.

SIGNED IN AUTHENTICATION thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney