



CITY OF KIRKLAND

Fire & Building Department

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www.ci.kirkland.wa.us

Council Meeting: 11/16/2010

Agenda: Other Business

Item #: 8. h. (2).

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kevin Nalder, Fire and Building Director
Tom Phillips, Building Services Manager

Date: November 2, 2010

Subject: An Ordinance to amend Title 21 of the Kirkland Municipal Code extending the expiration dates of Building and Land Surface Modification permits.

Recommendation

Staff recommends that the City Council adopt the attached Ordinance extending the period for which a one year extension can be given to Building and Land Surface Modifications (LSM) permits.

Background and Discussion

On April 7, 2009 the City Council adopted an Ordinance that provided a one year extension for LSM and Building permits for a limited time period that ended December 31, 2009. In December 2009 the Council approved a one year extension to that period which will expire January 1, 2011. Because the economic conditions that warranted the original extension have not significantly improved, staff has prepared an Ordinance for Council's consideration that will extend the period for an additional year.

This proposed ordinance will allow an increase to the time period for which a one year extension to Building and LSM permits can be given. The extension can be applied to either the application or to the permit, but not both. This ordinance applies to permits that are applied for between December 31, 2007 and January 1, 2012.

This ordinance does not affect Land Use or Zoning permits as they will be addressed by a separate Ordinance and Public Hearing during the November 16, 2010 Council meeting.

ORDINANCE NO. 4269

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 21.06 OF THE KIRKLAND MUNICIPAL CODE (KMC) RELATING TO THE EXPIRATION OF BUILDING AND LAND SURFACE MODIFICATION PERMITS.

WHEREAS, the Kirkland Municipal Code establishes regulations relating to the expiration of Building and Land Surface Modification (LSM) permits and their applications; and

WHEREAS, due to the ongoing economic downturn many developers have had to delay or suspend their building and/or LSM projects; and

WHEREAS, developers have requested temporary relief from current permit expiration regulations to keep their building and/or LSM projects active; and

WHEREAS, in 2009 the City Council enacted an Ordinance to temporarily extend LSM and Building permits and application; and

WHEREAS, the current period for permit extensions ends on January 1, 2011, the City Council finds that an additional one year extension to that period would be beneficial to the construction industry and economy of the City;

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

Section 1. Section 21.06.257 of the KMC is hereby amended to read as follows:

21.06.257 Special provisions for permit and application extensions.

Except as provided below, building and Land Surface Modification (LSM) permits applied for between September 1, 2007 and January 1, ~~2011~~ 2012, and building and LSM permits issued between January 1, 2006 and January 1, ~~2010~~ 2011 will be granted a one year extension to their original expiration date upon request by the applicant. The one year extension will start on the original expiration date. The extension may be applied to either the application, prior to issuance or the permit after issuance, but not to both. All electrical, plumbing and mechanical permits associated with the building or LSM permit will also be extended for the same amount of time if requested by the applicant. This extension does not apply to any issued building or LSM permit associated with a single family residence or accessory dwelling unit if the construction has already begun. Extensions will not be granted for demolition work.

Section 2. 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 _____, 2010.

Signed in authentication thereof this _____ day of _____, 2010.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney