



CITY OF KIRKLAND
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MEMORANDUM

To: David Ramsay, City Manager
From: Tom Phillips, Building Services Manager
Date: June 20, 2007
Subject: Building Codes Amendments

RECOMMENDATION

It is recommended that the City Council direct staff to pursue working at the State level to create a State amendment to the IRC to improve the fire wall separation requirements and to prepare an Ordinance that limits commercial building permits to a maximum of three years.

BACKGROUND DISCUSSION

At the June 5th Council Meeting, Council passed an Ordinance updating the City's building code. During Council's discussion of the Ordinance, two issues were raised. First, beginning in 2004, the International Residential Code (IRC), which regulates house construction, relaxed the requirements for the fire wall separating a dwelling unit from a garage. A self-closing door is no longer required and the type of sheetrock used does not have to be fire rated. Should the City amend our building code to revert back to the fire wall requirements that were in place prior to 2004?

The State amends and adopts the IRC and requires all cities and counties to enforce it. State law requires that any City amendment of the IRC be approved by the State Building Code Council (SBCC). This is not the same for the International Building Code (governing non-residential buildings), which cities can amend without the SBCC's approval. To obtain the SBCC's approval, the City must show a unique character of Kirkland that justifies our needing to amend the code. Options for this issue include:

1. Leave the garage fire separation requirements the way they are (do nothing).
2. Seek SBCC approval of a City amendment of the IRC.
3. Work at the National level to change the IRC to improve the fire wall separation requirements.
4. Work at the State level to create a State amendment to the IRC to improve the fire wall separation requirements.

Staff recommends that we pursue an amendment at the State level (option #4). The City is already represented on the SBCC subcommittee that makes recommendations related to the IRC.

Staff could also work to gain the support of neighboring cities on this issue. If an attempt to amend the State's code is successful, it would not go into effect until July of 2010 when the 2009 IRC is adopted by the State.

The second issue brought up at the June 5th Council meeting is the expiration of commercial building permits. The Ordinance passed on June 5th limits residential permits to two years but allows commercial building permits to remain active provided significant progress is being made. The permit will expire if significant progress is not made over a 180 day period. At the June 5th Council meeting, staff was directed to explore options that would put a maximum time limit on commercial permits. Options for this issue include:

1. Do not change the Ordinance adopted June 5th. (Do nothing)
2. Limit commercial building permits to a maximum of two years.
3. Limit commercial building permits to a maximum of three years.
4. Limit commercial building permits to a maximum of four years.

Staff recommends that a maximum three year limitation be put on commercial building permits (option #3). This should provide adequate time for all projects. As a comparison, the recent evergreen hospital bed tower is the largest and most complex in Kirkland's history and was built in two years. Commercial permits would still expire if suspended for a period of 180 days. If Council decides to implement item 2, 3 or 4, staff will prepare an Ordinance to amend the City's building code.