

RESOLUTION R-5421

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING A NO-FEE EXTENSION OF THE EXPIRATION DATE FOR ACTIVE BUILDING AND LAND SURFACE MODIFICATION PERMITS DUE TO IMPACTS OF COVID-19.

1 WHEREAS, the City Manager proclaimed an emergency to  
2 exist in Kirkland as a result of the illness known as COVID-19  
3 caused by the novel coronavirus identified as SARS-CoV-2 on  
4 February 29, 2020, which proclamation was ratified by the City  
5 Council through Resolution R-5411 on March 3, 2020; and

6  
7 WHEREAS, the State of Washington and King County have  
8 each proclaimed an emergency to exist as a result of COVID-19;  
9 and

10  
11 WHEREAS, the President of the United States has declared  
12 an emergency to exist as a result of COVID-19 and issued a major  
13 disaster declaration for the state of Washington in connection  
14 therewith; and

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16 WHEREAS, the facts giving rise to such emergency  
17 proclamations and declarations continue to exist; and

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19 WHEREAS, throughout the pandemic, the City of Kirkland  
20 has prioritized protecting the health and safety of the community  
21 and Kirkland employees through following medically based  
22 guidelines established by the Centers for Disease Control (CDC),  
23 the Washington Department of Health and Public Health – Seattle  
24 & King County, as well as following orders and directives from the  
25 Governor's Office; and

26  
27 WHEREAS, the Governor's Stay Home-Stay Healthy  
28 Proclamation (20-25) was issued on March 23, 2020, and a  
29 subsequent addendum, Implementation of Phase I Construction  
30 Restart, went into effect April 29, 2020; and

31  
32 WHEREAS, Proclamation 20-25 initially prohibited all  
33 construction not deemed essential from moving forward. The  
34 Phase I restart only allows existing construction permitted prior to  
35 March 23, 2020, to move forward; and

36  
37 WHEREAS, on May 1, 2020, Governor Jay Inslee  
38 announced "Safe Start", a four-phased plan for easing stay-at-  
39 home restrictions and reopening Washington businesses and  
40 institutions, along with metrics necessary to advance Washington  
41 to each new phase, and indicated that Washington would remain  
42 in the first phase through at least May 31, 2020; and

43  
44 WHEREAS, the pandemic has created significant job losses  
45 and financial impacts on the residents and businesses of the  
46 nation, Washington State and Kirkland, including a projected six

47 million dollars loss of City general fund revenues through June 30,  
48 2020 alone; and  
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50 WHEREAS, the Kirkland Municipal Code establishes  
51 regulations relating to the expiration of Building and Land Surface  
52 Modification (LSM) permits and their applications; and  
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54 WHEREAS, the COVID-19 crisis in our region has slowed  
55 the ability of development projects to move forward, in part  
56 because of employee health issues, social distancing  
57 requirements, additional needed health/safety measures, and  
58 financing challenges; and  
59

60 WHEREAS, the City recognizes that many approved and  
61 issued Building and LSM permits will need a longer than normal  
62 time to be completed due to COVID-19 impacts.  
63

64 NOW, THEREFORE, be it resolved by the City Council of the  
65 City of Kirkland as follows:  
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67 Section 1. Extension of existing Building and Land Surface  
68 Modification permits will be undertaken automatically without any  
69 application or additional fee. Any permit that expired between  
70 March 23, 2020 and the effective date of this resolution shall be  
71 granted a 180-day extension from the date that it expired. The  
72 expiration period for all issued Building and LSM permits set forth  
73 in KMC 21.06.255(a)(b)(c) is extended by one hundred eighty  
74 (180) days on a temporary basis as set forth in Section 2 below.  
75 These extensions supplement the provisions of KMC 21.06.255.  
76

77 Section 2. The authority provided in Section 1 shall not  
78 apply to permits issued after the last extension of the expiration  
79 date of Proclamation 20-25 and all amendments thereto.  
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81 Passed by majority vote of the Kirkland City Council in open  
82 meeting this 19 day of May, 2020.  
83

84 Signed in authentication thereof this 19 day of May, 2020.

  
Penny Sweet, Mayor

Attest:

  
Kathi Anderson, City Clerk