



## ECONOMIC & COMMUNITY DEVELOPMENT

Kurt Hanson, Director

**Permit Center**

Barbara Napier, Permit Center Manager

Director's Rule 2021-1

Effective: July 20, 2021

Approved:

### **City Code and Policy Reference:**

- KCC 12.04.215
- Director's Rule 2020-4
- Director's Rule 2020-5

**Intent:** To resolve difficulties created by the State of Washington Stay at Home Order, eviction moratorium and restrictions on construction activity by granting automatic extensions to approved preliminary short plats that were valid as of January 1, 2020.

**Background:** As a result of the COVID-19 outbreak, Governor Inslee declared a state of emergency on February 29, 2020 through Proclamation 20-05. Soon after, Mayor Dana Ralph similarly declared a state of emergency on March 6, 2020. In January 2021, the governor issued Proclamation 20-19.5, which imposed a moratorium on residential evictions that is currently in effect until September 30, 2021. These actions resulted in significant and ongoing delays for construction and land development projects in the City of Kent.

The City of Kent's permit process has similarly been impacted by the Governor's proclamations. Most permit staff work remotely, and all documents are transmitted electronically, resulting in technical challenges and unanticipated backlogs throughout the system.

In 2020 and 2021 the City extended validity periods for all permits, permit applications and land use approvals (including approved preliminary short plats) to ameliorate the impacts of Covid-19 and the associated orders. The first, a 180 day

extension applied to all permits, applications and approvals that were valid as of January 1, 2020. The second extension applied to the same class and added an additional 180 days of validity, beginning on October 20, 2020.

While construction activity has generally resumed since the early days of the pandemic, it has come to the City's attention that short plat land division projects are facing unique challenges that in some cases prevent recordation within the four-year validity period specified in KCC 12.04.215. Challenges include difficulty securing financing, consultant resources, contractors, and bonding that are required for successful recordation. These challenges are exacerbated by the small scale of development undertaken by these smaller projects, and attendant financial returns. Additionally, short plats often involve redevelopment of an existing home site where demolition of an existing home(s) is necessary. The governor's eviction moratorium has in some cases allowed tenants to remain in homes, effectively blocking demolition of the home and construction of site improvements required prior to recordation.

Additional delay of expiration for short plats is necessary in order to avoid serious economic harm to property owners and applicants, occurring through no fault of their own.

**Validity:** In light of these rare and unique circumstances surrounding the outbreak of COVID-19, and in recognition that significant delays have impacted approved preliminary short plats due to circumstances entirely beyond the control of preliminary short plat applicants, pursuant to my authority in KCC 12.01.185, I am granting a two year extension to the period of validity for all approved preliminary short plats that were valid as of January 1, 2020. This extension replaces extensions granted under Director's Rule 2020-4 and 2020-5 and shall be calculated from the original date of expiration for each approved preliminary short plat.