

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6853

AN ORDINANCE extending the life of certain complete building permit applications, complete clearing and grading permit applications, issued building permits, and issued clearing and grading permits when complete permit applications have been submitted to the City by, or the issued permits remain active on, the effective date of this Ordinance; providing for an exception for civil violations; providing for severability; and establishing an effective date.

WHEREAS, the Bellevue City Council has adopted regulations establishing time limits for building permit applications and clearing and grading permit applications to remain active, and expiration periods for issued building permits and clearing and grading permits; and

WHEREAS, the Bellevue City Council has adopted regulations that provide performance standards, which require permit applicants and permittees to advance through permit review and commence construction to maintain the validity of an application or issued permit; and

WHEREAS, when a building permit is issued, the life of ancillary permits and approvals run with the status of the issued building permit and expire pursuant to the terms of BCC 23.05.100.E; and

WHEREAS, stand-alone clearing and grading permits vest to certain land use control ordinances on submittal of a complete application for a clearing and grading permit, and expire under the provisions set forth in BCC 23.76.045.A; and

WHEREAS, the City Council has approved building permit and clearing and grading permit extension ordinances in the past, for example, in April 2020 and March 2023 due to unique and extraordinary circumstances created by the COVID-19 pandemic and then again in 2024 to grant additional time for developers to evaluate market conditions and evaluate the viability of their individual construction projects; and

WHEREAS, market conditions for office development in Bellevue and throughout the region remain challenging, and a policy basis of this extension Ordinance is to grant additional time for developers to evaluate market conditions, determine project viability, secure financing, and decide whether to proceed with construction; and

WHEREAS, if issued building permits or clearing and grading permits or complete building and clearing and grading permit applications expire, then it may be difficult for project proponents to sell projects or to obtain capital to restart and complete the projects, due to economic and financial market conditions; and

WHEREAS, certain building permit applications, issued building permits, and clearing and grading permits will expire, and others have the potential to expire, during the next one hundred eighty (180) days, putting development projects approved within the last few years or currently under construction at risk; and

WHEREAS, if building and clearing and grading permit applications and permits expire, then such expiration may add additional cost and time to both the permit applicants and the City, or create a barrier for new residential development within the City; and

WHEREAS, if building and clearing and grading permit applications and permits expire, then such expiration may expose the City to consequences in the form of decreased tax revenues, underutilized and vacant land, and the short and long-term impacts associated with abandoned construction; and

WHEREAS, one negative impact of this permit extension Ordinance is that it will allow qualifying projects to continue under prior code and more recent code changes will not be applicable to those projects, but the 180 day extension period authorized by the Ordinance is a relatively short time compared to the overall duration for design and construction of phased projects; and

WHEREAS, the City Council reviewed and considered this permit extension Ordinance at its July 15, 2025 meeting and considered the impacts of this permit extension Ordinance, including the consequence that the extensions granted herein will result in further delay in implementation of recent code changes that would otherwise be implemented within the City in the absence of this Ordinance; and

WHEREAS, the City Council has a compelling interest in the protection of the health and safety of all of its residents and has a compelling interest in ensuring that the goals and policies in the Comprehensive Plan, as well as other policy and planning documents, are fulfilled; and

WHEREAS, the City has a compelling interest in responding to the current economic and development market and finds it necessary to provide relief to project proponents by providing balanced options that further extend the life of certain permit applications and issued permits; now, therefore,

**THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Extension of Time Limits for Building Permit Applications. The time limitation set forth in BCC 23.05.090.H for building permit applications is temporarily extended for one hundred eighty (180) days. This extension supplements the provisions of BCC 23.05.090.H and applies to complete building permit applications active on the effective date of this Ordinance. Likewise, all complete building permit applications

active on the effective date of this Ordinance, if and when the permit is issued, will receive the extensions set forth in Section 3 below.

Section 2. One-Time Additional 180-day Extension for “Ready-to-Issue” Building Permit Applications. In addition to the 180-day extension identified in Section 1 of this Ordinance, any building permit application that is “Ready-to-Issue” prior to expiration of the 180-day extension period identified in Section 1 will also be eligible to receive an additional 180-day “Ready-to-Issue” extension. To qualify for this “Ready-to-Issue” extension, all City Departmental review of the building permit application must be completed prior to expiration of the Section 1 extension period, with no further pending review. No further changes to the design approved under the “Ready-to-Issue” permit application will be available, and the applicant must request and receive confirmation from the Building Division that the permit application is “Ready-to-Issue” prior to expiration of the Section 1 extension period. In no event shall the building permit application extension period under Section 1 and Section 2 of this Ordinance exceed a total of three-hundred-sixty (360) days.

Section 3. Extension of Expiration Period for Issued Building Permits. The expiration period for issued building permits set forth in BCC 23.05.100.E.2 is extended by 180-days. Additionally, the 180-day period in which to commence work, as set forth in BCC 23.05.100.E.1, is extended by an additional 180-days. These extensions supplement the provisions of BCC 23.05.100.E and apply only to building permits that are either issued or active on the effective date of this Ordinance pursuant to Section 1 of this Ordinance.

Section 4. Extension of Time Limits for Clearing and Grading Permit Applications. The time limitation set forth in BCC 23.76.045.A.2.a.i for clearing and grading permit applications (GE or GD) is temporarily extended for one hundred eighty (180) days. This extension supplements the provisions of BCC 23.76.045.A.2.a.i, and applies to complete clearing and grading permit applications active on the effective date of this Ordinance. Additionally, all complete clearing and grading permit applications active on the effective date of this Ordinance, if and when the permit is issued, will receive the extensions set forth in Section 6 below.

Section 5. One-Time Additional 180-day Extension for “Ready-to-Issue” Clearing and Grading Permit Applications. In addition to the 180-day extension identified in Section 4 of this Ordinance, any clearing and grading permit application (GE or GD) that is “Ready-to-Issue” prior to expiration of the 180-day extension period identified in Section 4 will also be eligible to receive an additional 180-day “Ready-to-Issue” extension. To qualify for this “Ready-to-Issue” extension, all City Departmental review of the clearing and grading permit application must be completed prior to expiration of the Section 4 extension period, with no further pending review. No further changes to the design approved under the “Ready-to-Issue” permit application will be available, and the applicant must request and receive confirmation from the Building Division that the permit application is “Ready-to-Issue” prior to expiration of the Section 4 extension period. In no event shall the clearing and grading permit application extension period

under Section 4 and Section 5 of this Ordinance exceed a total of three-hundred-sixty (360) days.

Section 6. Extension of Expiration Period for Issued Clearing and Grading Permits. The expiration period for issued clearing and grading permits (GE or GD) set forth in BCC 23.76.045.A.3.a is extended by one year. Additionally, the one year period in which to commence work, as set forth in BCC 23.76.045.A.3.a, is extended by an additional 180-days. These extensions supplement the provisions of BCC 23.76.045.A and apply only to clearing and grading permits that are either issued or active on the effective date of this Ordinance pursuant to Section 4 of this Ordinance.

Section 7. Exception for Civil Violations. The time extensions provided by this Ordinance shall not apply to any properties that are the subject of an active request for voluntary compliance or outstanding notice of civil violation under Chapter 1.18 BCC.

Section 8. Severability. Should any provision of this Ordinance or its application to any person or circumstances be held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 9. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2025 and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

(SEAL)

\_\_\_\_\_  
Lynne Robinson, Mayor

Approved as to form:  
Trisna Tanus, City Attorney

\_\_\_\_\_  
Matthew McFarland, Assistant City Attorney

Attest:

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Charmaine Arredondo, City Clerk

Published \_\_\_\_\_