

5241C
2901
10-15-80

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2901

AN ORDINANCE increasing the time that a conditional use permit may be extended, giving some prior permits the benefit of this extension, and amending Bellevue City Code (Land Use Code) 20.30.880.

WHEREAS, it is desirable to provide an applicant ample and reasonable time to secure required development permits; and

WHEREAS, a one year time extension for conditional use permits has proven inadequate given prevailing economic conditions; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the City's Environmental Procedures Ordinance; now, therefore,

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

Section 1. Bellevue City Code (Land Use Code) 20.30.880 is amended to read as follows:

20.30.880 Expiration and Extension of Conditional Use Permit

- A. Expiration: A Conditional Use Permit automatically expires and is void if:
1. The applicant fails to file for the necessary development permit within six months of approval of the conditional use permit or having received such permit does not complete substantial construction or development within one year from the date that the necessary development permit was issued, unless
 - a. The applicant has received an extension in conformance with Paragraph B of this Section, or
 - b. The conditional use permit provides for a greater time period.
- B. Extension:
1. The Planning Director may grant an extension of a conditional use permit, not to exceed one year, only if he/she finds that:

5241C
2901
10-15-80

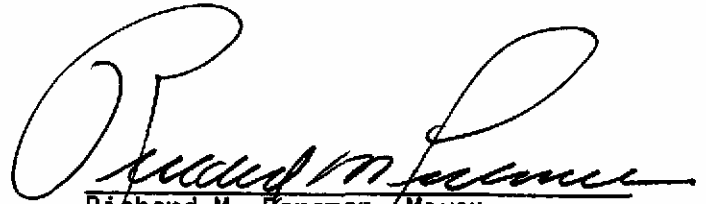
- a. Unforeseen circumstances or conditions have caused the delay in the commencement of the approved use;
 - b. Termination of the permit will result in unreasonable hardship to the applicant and the applicant is not responsible for the delay in commencement of the approved use; and
 - c. An extension of time will not cause substantial detriment to the neighboring property owners or to the community.
2. The Planning Director may grant no more than two extensions. A second extension may be granted only if the Planning Director finds that:
- a. The criteria listed in Paragraph B.1 of this Section are met;
 - b. The applicant has demonstrated reasonable diligence in attempting to meet the time limits imposed; and
 - c. Conditions in the immediate vicinity of the subject property have not changed substantially since the original conditional use permit was granted.
3. Application to Prior Permits:
- a. If an applicant at any time has received an extension of a conditional use permit and that extended conditional use permit was valid at any time within the 18 months preceding the effective date of this Section, that applicant may request a second extension under paragraph B.2 of this Section.
 - b. The City will automatically renew a conditional use permit which has become void and for which a second extension has been requested under paragraph B.3.a. of this Section. This renewal will be valid only for the time needed to process the extension request and only for purposes of the extension request. Following the decision of the Planning Director on the extension request, the time limits as established in the extension approval will control or the permit will be automatically void if the extension is not approved.

5241C
2901
10-15-80


Section 2. This Ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

PASSED by the City Council this 27 day of October, 1980, and signed in authentication of its passage this 27 day of October, 1980.

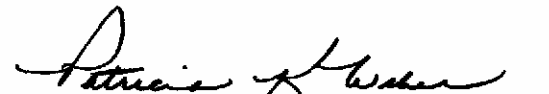
(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Richard Gidley, Acting City Attorney

Attest:


Patricia K. Weber, City Clerk

Published October 29, 1980