Ordinance No. 3149

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3574
ORDINANCE NO. 3149

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to vesting of development permit applications.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. There is hereby added to the Kent City Code a new chapter, Chapter 14.11 entitled "Vesting of Development Permit Applications" to read as follows:

Sec. 14.11.010 Vesting.

Vesting of development permit applications occur upon the submission of a fully completed development permit application. Vesting shall only apply to land use regulations in effect on the land at the time a fully completed application has been submitted. A development permit application shall be reviewed under the land use regulations in effect at that time. To establish a vested right, the applicant shall file an application on a form furnished by the building official, which form may be amended from time to time. Every application shall, at a minimum, provide the information required in the Uniform Building Code for filing of development permit applications as Development Permit Application

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well as other such information required by the building official as set forth in the application form.

**Sec. 14.11.020 Completed Application.**

In order to be accepted as fully completed herein, an application for a development permit shall be reviewed by the building official, or his/her designee, to verify that all information required has been provided in a clear and usable format. Once it has been determined that all required information has been provided, the building official, or his/her designee, shall accept the filed application and determine the date the application is considered complete and therefore vested.

**Sec. 14.11.030 Other.**

A) A completed development permit application as defined herein, does not mean or imply approval of the project.

B) A completed development permit application herein may not necessarily constitute a completed application for the purpose of processing the same. Additional information, steps or procedures may need to be taken or completed in order to process and obtain the requested permit.

C) Vesting hereunder shall apply only to the scope of the project applied for under the permit application.

D) Vesting under this chapter expires with the expiration of the development permit application or with the expiration of a permit issued pursuant to an application.

**Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.
Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

APPROVED 5th day of January, 1994.
PUBLISHED 7th day of January, 1994.

I hereby certify that this is a true copy of Ordinance No. 3149, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER (SEAL)
BRENDA JACOBER, CITY CLERK