ORDINANCE NO. 

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 3.25 of the Kent City Code, entitled "Multifamily Dwelling Tax Exemptions," amending the residential targeted area and extending the period for submission of applications for conditional certificates to June 30, 2019.

RECITALS

A. Through its adoption of Ordinance No. 3922 on June 16, 2009, the Kent City Council amended the City's multifamily tax exemption program to adopt the further goals of creating a vibrant downtown to serve as a destination retail and community gathering place; and to invest in neighborhood livability and development of neighborhood centers.


C. The City also adopted a Planned Action Ordinance ("PAO") on December 10, 2013, that incentivizes development — including high-density residential development — in downtown by streamlining the environmental review process.

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D. Ordinance No. 3922 established a sunset provision that prohibited the City from accepting any new applications for conditional certificates of acceptance of tax exemption under Chapter 3.25 of the Kent City Code after June 30, 2014.

E. In order to implement the goals of the DSAP and the PAO, the City now desires to retain the property tax exemption incentive for multifamily residential development by extending the period for submission of applications for conditional certificates for an additional five (5) years, in addition to amending the definition of the residential targeted area and map depicting the area affected.

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

ORDINANCE

SECTION 1. – Amendment. Section 3.25.050 of the Kent City Code is amended as follows:

Sec. 3.25.020. Definitions. When used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

1. Administrator means the Kent economic development director or his/her designee.

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2. Mixed use means a multi-story multifamily housing residential project with at least one (1) nonresidential use in one (1) or more multi-story multifamily housing buildings in the project, such as retail, office, entertainment, schools, conference centers or a use approved in writing by the administrator.

3. Multifamily housing means one (1) or more new multi-story buildings designed for permanent residential occupancy, each with four (4) or more dwelling units.

4. Owner means the property owner of record.

5. Permanent residential occupancy means multifamily housing that provides either rental or owner occupancy on a nontransient basis. This includes owner-occupied or rental accommodation that is leased for a period of at least one (1) month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.

6. Residential targeted area means the geographic area of downtown Kent bordered generally by Titus Street, State Route 167, Willis Street, and Cloudy Street, and only including zones that permit multifamily housing. See Appendix 1 for map.

**SECTION 2.** - *Amendment.* Section 3.25.120 of the Kent City Code is amended as follows:

**Sec. 3.25.120.** Sunset of exemption for applications for conditional certificates.
The city shall not accept new applications for conditional certificates as provided in this chapter after June 30, 20142019, unless extended by city council action. Incomplete applications for conditional certificates as of June 30, 20142019, shall be returned to owners. Notwithstanding the above, the city shall process (A) pending complete applications for a conditional certificate and (B) applications for extension of the conditional certificate or final certificate received after June 30, 20142019, as provided in this chapter. This chapter shall continue to apply to all properties that have been or are issued a final certificate of tax exemption under this chapter until expiration, termination, or cancellation of the tax exemption.

SECTION 3. - Amendment. - The map contained in Appendix 1 referenced in KCC 3.25.020 is hereby replaced in its entirety by the map attached hereto as Appendix 1.

SECTION 4. - Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 5. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 6. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication as provided by law.
I hereby certify that this is a true copy of Ordinance No. 41111 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK
(SEAL)

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