



Code Text Amendment

Please print in black ink only.

Public Notice Board and
Application Fee...See Fee Schedule

Application #: _____ KIVA _____
OFFICE USE ONLY OFFICE USE ONLY

Application Name: _____

Code Text Amendment Requested:

- ☐ AMENDMENT TO ZONING CODE
- ☐ AMENDMENT TO SUBDIVISION CODE
- ☐ AMENDMENT TO MOBILE HOME PARK CODE
- ☐ AMENDMENT TO OTHER DEVELOPMENT CODE: (Specify) _____

APPLICANT 1: (mandatory)

Name: _____ Daytime Phone: _____
Mailing Address: _____ Fax Number: _____
City/State/Zip: _____ Signature: _____

APPLICANT 2: (mandatory if different from applicant 1)

Name: _____ Daytime Phone: _____
Mailing Address: _____ Fax Number: _____
City/State/Zip: _____ Signature: _____

AGENT/ CONSULTANT/ ATTORNEY: (mandatory if primary contact is different from applicant)

Name: _____ Daytime Phone: _____
Mailing Address: _____ Fax Number: _____
City/State/Zip: _____ Signature: _____

OFFICE USE ONLY:

DATE APPLICATION RECEIVED: _____ RECEIVED BY: _____
DATE APPLICATION COMPLETE: _____ COMPLETENESS REVIEW BY: _____

Zoning and Development Code Text Amendment Application Instructions

A zoning/development code text amendment is an application to change the text language of the Kent City Code or other city ordinance or regulation pertaining to land development. A code amendment is the type of action which requires special consideration prior to being approved because of its possible impact on other regulations and ordinances, the environment, and the growth and development of the City. The purpose of the code amendment process is to allow the public to request changes to city regulations and the established processes and pattern of development while ensuring compatibility between code provisions and other ordinances. The nature and characteristics of the proposed code text amendment will be reviewed during the application and public hearing process to determine whether or not the code text is appropriate, consistent with the Comprehensive Plan and compatible with other city regulations. The Land Use and Planning Board and the City Council are authorized under Section 15.09.050 of the Kent City Code to hold a public hearing and render a decision on code text amendments map amendments.

I. Code Text Amendment Application Process

A. Standing of Applicant

A code text amendment may be initiated by a private citizen, by Planning Services or other administrative staff of the city; or by a resolution of intention of the Land Use and Planning Board or the City Council.

B. Application Form

A request for a code text amendment must be submitted on the forms prescribed by Planning Services. Provide all information requested on the application form and accompanying application requirements. Answer all criteria and standards clearly and in as much detail as possible. Return the completed forms and supporting materials with the required number of copies and the appropriate fees to Planning Services.

C. Completeness

Applications must be complete before they will be accepted for filing. All items requested on the application and any other supporting material that may be required by the city must be submitted at the time of application in order for the application to be accepted.

D. Fees

See Fee Schedule for application and Public Notice Board fees. Checks should be made payable to the City of Kent.

E. Environmental Review

An environmental checklist review will be conducted by the city and a SEPA determination made in conjunction with this application.

F. Application Modifications

Minor changes in the application must be submitted no later than two working weeks prior to the scheduled public hearing on the application. Major changes in the application may require a new application submittal and/or SEPA determination.

II. Public Hearing Process

A. Scheduling for Hearing

An application will be scheduled for a Land Use and Planning Board workshop after the application has been determined to be complete. The Land Use and Planning Board shall set a date for the public hearing.

B. Notice of Public Hearing

The city will published notice of the public hearing in a newspaper of general circulation in the city at least ten (10) days prior to the public hearing.

The city will mail notice of public hearing to the applicant, any person who submits written comments on an application. Notices shall be mailed, posted and first published not less than ten (10) calendar days prior to the hearing date.

C. Staff Report

Planning Services shall coordinate and assemble the comments and recommendations of other city offices, departments and governmental agencies having an interest in the application and prepare a report summarizing the factors involved and the staff's findings and recommendations. The report will be filed with the Land Use and Planning Board at least seven (7) calendar days prior to the scheduled hearing and copies of the report will be mailed to the applicant and made available for use by any interested party for the cost of reproduction.

D. Public Hearing

Before making a recommendation on any application, the Land Use and Planning Board shall hold an open record pre-decision hearing on any proposed code text amendment.

E. Land use and Planning Board Recommendation

Following the public hearing, the Land Use and Planning Board will make a recommendation with respect to the proposed amendment and submit it to the City Council, which shall have the final authority to act on the amendment.

III. City Council Decision

A. City Council Consideration

The City Council will consider the Land Use and Planning Board's recommendation at a regular City Council meeting and issue a final decision. The City Council has the authority to choose to hold its own public hearing, at its discretion. The City Council can accept, deny or remand the recommendation back to the Land Use and Planning Board. If the application for a code text amendment is denied by the City Council, said application will not be eligible for resubmittal for one (1) year from the date of the denial unless specifically stated to be without prejudice.

B. Notice of Decision

The city will provide a notice of decision, which include a statement of the determination made under SEPA, and the procedures for appeal. The notice of decision will be mailed to the applicant and any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application.

IV. Appeal

The decision of the City Council may be appealed to the King County Superior Court within twenty-one (21) calendar days from the issuance of a notice of decision and in accordance with the requirements of Chapter 12.01 Of the Kent City Code (KCC) and Chapter 36.70C of the Revised Code of Washington (RCW).

THESE INSTRUCTIONS PROVIDE GENERAL INFORMATION ONLY AND DO NOT REFLECT THE COMPLETE TEXT OF THE PERMIT PROCESS REVIEW. SEE THE KENT CITY CODE FOR COMPLETE TEXT AND REQUIREMENTS.

Any person requiring a disability accommodation should contact the City in advance for more information. For TDD relay service for Braille, call 1-800-833-6385, For TDD relay service for the hearing impaired, call 1-800-833-6388, or call the City of Kent at (253) 856-5725.

The Applicant must submit the following information on separate 8½ x 11-inch sheets of paper, typed with one-inch margins. Provide the following:

- ☐ **A.** The completed original application making sure that all of the required signatures are included.
- ☐ **B.** Seven (7) copies of responses answering the following questions:
 - 1. Which ordinance or regulation are you requesting to be amended or added?** List the applicable section(s) of the Kent City Code for which an amendment is being sought. *(Please include the section number(s) and page number(s)).*
 - 2. What do you want to change about the Comprehensive Plan and why?** Discuss the Reason/ Rationale for the proposed Code Text Amendment.
 - 3. What language revisions to the code text are you requesting?**
 - 4. What are the effects or impacts related to the proposed amendment?** When addressing this question, consider the following:
 - a. How is the proposed amendment consistent with the applicable Comprehensive Plan goals and policies?
 - b. What is the public necessity and/or convenience that requires this amendment?
 - c. What significance will the proposed amendment have to the community?
 - d. What effect will the proposed amendment have on related ordinances, regulations and development standards?

- e. What impact will the proposed amendment have on:
 - (1) the health, safety and general welfare of the public;
 - (2) the city design;
 - (3) development interests;
 - (4) neighborhoods;
 - (5) environmentally sensitive areas.

All above items and any other material that may be required by the city must be submitted at the time of application.