Docket No. 15-11: Vesting
Community Development Services Open House
15.02.100 Vesting

“Vesting” means the establishment of a date that is used to determine which zoning and other land use control ordinances will apply to the review by the County of a complete project permit application.

Chapter 15A.03
PROJECT PERMIT APPLICATION REVIEW

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1. This section applies to complete project permit application, including and limited to conditional use permits, binding site plans, site development activity permits, and shoreline permits. Vesting of building permits are governed by RCW 19.27.095, vesting of short subdivision and subdivision applications are governed by RCW 58.17.033, and vesting of development agreements are governed by RCW 36.70B.180.

2. Vested project permit applications shall be reviewed under the development regulations in effect on the date a complete application has been submitted to the department. This date shall be considered the vesting date.

3. The vesting of an application does not:
   a. Imply that the application will be approved or that the applicant has permission to proceed with development related to the vested application;
   b. Vest any subsequently required or related permits, except as required by statute or case law, nor does it affect the requirements for the vesting of subsequent permits or approvals;
   c. Restrict the ability of the department to impose conditions under Chapter 43.21C RCW; or
   d. Restrict the ability of the department to impose new regulations necessary to protect the public health and safety, including, but not limited to, the requirements of the building, health, and fire codes.

1.4. The development regulations to which projects vest do not include regulations governing procedures, including the regulations in this chapter, or fees.
5. Determination of amendments to approved binding site plans shall be governed by Sections 16.05.060, Amendments and Rescindment; and determination of amendments to approved short plats shall be governed by 16.32.100, Alterations.
6. An applicant may voluntarily waive vested rights at any time during the processing of an application by submitting a written and signed waiver to the department stating that the applicant agrees to comply with all development regulations in effect on the date the waiver request is submitted. Any change to the application may require revised public notice and/or additional review fees.
7. Rights vested for a project permit application shall terminate upon the following:
   a. Issuance of the permit;
   b. Expiration of the permit application; or
   a-c. Denial of the permit application.