

**CMC 19.18.120 Vesting.**

A. Vested application. Complete applications required by the city of Chelan pursuant to CMC Title 19 shall be considered under this chapter and the zoning, development and other land use control ordinances contained in the CMC, and any uncodified ordinances modifying the same, in effect on the date a fully complete application is filed with the city. For the purposes of this section, a vested application shall mean that the applicant is entitled to implement the development proposal described in the application under the zoning, development and land use ordinances applied by the city in its review of the application without being subject to changes in development regulations subsequent to the submittal date except to the extent allowed by the city's police power to protect the public health, safety and welfare.

B. Subsequent Regulations. An applicant may have the option of subjecting its development to any subsequently enacted land use ordinances. However, should an applicant choose to subject its development to a subsequently enacted land use ordinance, this shall have the effect of subjecting the development to all land use ordinances enacted after the application is vested, unless the city and applicant agree otherwise. In order for the planning official to grant such a request, the applicant must demonstrate how later enacted ordinance(s) will benefit both the project and the city while maintaining consistency with the comprehensive plan. The applicant must also demonstrate that use of later enacted ordinances will not conflict with other ordinances to which the development remains subject and will not be significantly detrimental to the health, safety or general welfare of the city.

C. Exception to vesting. Unless expressly authorized elsewhere in this title, vested rights shall apply only to development regulations and shall not be applied to permit processing fees, development review fees, other lawful fees, and regulations that affect the procedure through which a project permit application is processed or reviewed.

**19.18.020 Preapplication conference.**

A. Applications for project permits involving Type III and Type IVA actions shall not be accepted by the administrator unless the applicant has requested and attended a preapplication conference. The purpose of the preapplication conference is to acquaint the applicant with the requirements of the Chelan Municipal Code and project review procedures and for city staff to be acquainted with the proposed application for purposes of determining appropriate review procedures and facilitating the application and project review process. In order to ensure that the preapplication conference is meaningful, the applicant must provide all information requested on the form required by the administrator.

B. The conference shall be held no more than thirty calendar days following the filing of a written request for a preapplication conference with the administrator, on the form provided by the administrator.

C. At the preapplication conference or within five working days of the preapplication conference, the applicant may request that the administrator provide the applicant with the following information:

1. A form which lists the requirements for a completed application;
2. A general summary of the procedures and timelines to be used to process the application;
3. The references to the relevant code provisions or development standards which may apply to the approval of the application, as preliminarily identified at the preapplication conference;
4. The city's design guidelines.

D. It is impossible for the preapplication conference to be an exhaustive review of all potential issues. The discussions at the conference or the information sent by the city to the applicant under subsection C of this section shall not bind or prohibit the city's future application or enforcement of all applicable laws.

~~E. Preapplication submittal or conference/ meeting shall vest for a period of 45 days from the date of the preapplication conference.~~