

*Title 18*

***DEVELOPMENT REGULATIONS - GENERAL PROVISIONS***

**CHAPTERS:**

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- 18.40 APPLICATION FILING.**
- 18.60 REVIEW PROCESS.**
- 18.80 NOTICE.**
- 18.100 TIME PERIOD FOR FINAL DECISION.**
- 18.120 CODE INTERPRETATION.**
- 18.140 COMPLIANCE.**
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## *Chapter 18.20*

### *INTRODUCTION*

#### **Sections:**

##### **18.20.010 Purpose.**

##### **18.20.020 Applicability.**

##### **18.20.025 Impact Fees.**

##### **18.20.030 Appeals.**

##### **18.20.040 Severability.**

#### **18.20.010 Purpose.**

The purpose of this Title is to outline general provisions for development regulations regarding application filing, department review, public notice, time periods, code interpretations, and enforcement and penalties. (Ord. 96-19S § 1 (part), 1996)

#### **18.20.020 Applicability.**

The regulations identified in this Title apply to Pierce County Codes including but not limited to: Title 15, Building Construction; Title 16, Subdivisions and Platting; Title 18A, Development Regulations - Zoning; Title 18B, Development Regulations - Signs; Title 18C, Development Regulations - Site Development; Title 18D, Development Regulations - Environmental; Title 18E, Development Regulations - Critical Areas; Title 18H, Development Regulations - Forest Practices; Title 18I, Development Regulations - Natural Resource Lands; and Title 20, Shoreline Management Use Regulations. (Ord. 98-87 § 1 (part), 1998; Ord. 96-19S § 1 (part), 1996)

#### **18.20.025 Impact Fees.**

Pursuant to the authority granted in RCW 82.02.050-82.02.100, Pierce County imposes impact fees on development activities as part of the financing for school facilities, regional parks, open space passive recreation parks, and linear trail parks, as set forth in Title 4A PCC. (Ord. 96-122S § 3, 1996; Ord. 96-105S2 § 2, 1996)

#### **18.20.030 Appeals.**

Procedures for appealing an administrative decision or decision of the Hearing Examiner are set forth in Chapter 1.22, Pierce County Code. (Ord. 96-19S § 1 (part), 1996)

#### **18.20.040 Severability.**

If any Section, portion, Chapter, paragraph, clause, or phrase of these regulations is held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Title. (Ord. 96-19S § 1 (part), 1996)

*Chapter 18.40*

*APPLICATION FILING*

**Sections:**

**18.40.010 Preliminary Reviews.**

**18.40.020 Complete Applications.**

**18.40.030 Application Processing Options.**

**18.40.010 Preliminary Reviews.**

Preliminary reviews are informational meetings between Department staff and an applicant prior to or concurrent with filing of a complete application. Preliminary reviews should outline requirements for filing a complete application, timelines for the County review process, application processing options, and identify environmental information on the project site including potential impacts and regulations that may mitigate environmental impacts.

- A. **Filing Review.** Department staff review an application for completeness prior to acceptance for filing. If an application is complete it can be accepted for filing. Incomplete applications shall not be accepted for filing and may be referred to a pre-application consultation, pre-filing meeting or a pre-development conference.
- B. **Pre-Application Consultation.** Pre-application consultations are conducted by Department staff who review a proposed application and determine necessary items for filing a complete application. A pre-application consultation may be provided at the request of the applicant.
- C. **Pre-Development Conference.** The pre-development conference is a process designed to define those items of Department review which, if not addressed at the conceptual plan stage, are of such significance that continuation of the project might result in substantial technical difficulties during permit processing. Representatives from various departments and the applicant will discuss a conceptual plan for the proposed project and the County's regulatory process. A pre-development conference may be provided at the request of the applicant.
- D. **Pre-Filing Meeting.** The pre-filing meeting is conducted between Department staff and a potential applicant to discuss the application submittal requirements and pertinent fees for a Use Permit or Preliminary Plat. A pre-filing meeting may be held at the request of the applicant who desires that specific submittal requirements be defined by the Department. County staff and the applicant shall be prepared to discuss the proposed project and the County's regulatory process in detail. Staff will identify issues that could require more in depth technical review during permit processing. As a result, technical studies or reports may be identified as submittal requirements for complete application. Submittal requirements defined at a pre-filing meeting shall become mandatory components of a complete application.

(Ord. 98-66S § 2 (part), 1999; Ord. 96-19S § 1 (part), 1996)

**18.40.020 Complete Applications.**

- A. **Form and Content.** The Department shall prescribe, on a Submittal Standards Checklist, the form and content for complete applications made pursuant to this Title including, but not limited to: Building Permits, Site Development Permits, Use Permits, Wetland Permits, Preliminary Plats, Short Plats, Final Plats, Binding Site Plans, and Large Lot Divisions.

- B. Check for Complete Application.** An application shall be considered complete when it contains the following:
1. the correct number of completed Department master and supplemental application forms signed by the applicant which contain a detailed description of the proposed land use, proposed impervious surface, and description of all existing and proposed improvements and easements;
  2. the correct number of documents, plans, or maps identified in the applicable Development Regulation, on the Department Submittal Standards form or application, as appropriate for the proposed project;
  3. for preliminary plats only, a completed land survey of the perimeter of the site;
  4. a completed State Environmental Policy Act checklist, if required;
  5. payment of all applicable fees. In the event of insufficient funds on a draft, the application shall be deemed null and void; and
  6. proposed applications shall be consistent with the Comprehensive Plan and applicable development regulations.
- C. Related Studies and Reports.** Related studies and reports required to process the application should be identified before or at the time of filing or as soon thereafter as practical. Submittal of the studies with the application is encouraged, but is not required for an application to be considered complete. If identified and required studies and/or reports are submitted after the application is filed, the applicant shall be deemed to agree pursuant to 18.100.020 to an extension of the time period established in 18.100.010.
- D. Special Submittal Requirements.** In addition to the information required for a complete application described in PCC 18.40.020 B., the following additional information is required for a complete application in the following areas:
1. City of Gig Harbor's Urban Growth Area (UGA):
    - a. Proof that an application for development in the City of Gig Harbor's UGA has been submitted to the City for review.
    - b. Proof that a formal request for a utility extension from the City has been submitted to the City for approval.
    - c. Single-family dwelling units on existing legal lots of record shall be exempt from the additional submittal requirements.
- E. Filing Fees.** The schedule of fees for Development Regulation Permits is established in Chapter 2.05.
- F. Applications Part of Permanent Record.** Applications filed pursuant to the applicable Titles shall be numbered consecutively in the order of their filing and shall become a part of the permanent official records of the agency to which the application is made. Copies of all notices and orders, certificates and affidavits of posting, mailing or publication; plans, maps, and exhibits; and any other additional application information shall be filed together with the application in the permanent official record.
- (Ord. 2002-113s § 1 (part), 2002; Ord. 98-66S § 2 (part), 1999; Ord. 97-84 § 1 (part), 1997; Ord. 96-19S § 1 (part), 1996)

**18.40.030 Application Processing Options.**

- A. Consolidated Permit Option.** The applicant may elect to consolidate two or more development related permits for one project action and submit the applications simultaneously. The following conditions apply to all applications filed in a consolidated permit option:
1. applications shall be reviewed concurrently;

**Chapter 18.80**

**NOTICE**

**Sections:**

**18.80.010 Introduction.**

**18.80.020 Public Notice Matrix.**

**18.80.030 Notice Types.**

**18.80.040 Methods of Notice.**

**18.80.010 Introduction.**

Refer to Table 18.80.020 Public Notice Matrix for specific cross-references between methods of notice, notice types and permit categories. The following text is provided to supplement the provisions outlined in the Public Notice Matrix. (Ord. 96-19S § 1 (part), 1996)

**18.80.020 Public Notice Matrix.**

	<b>Notice of Application</b>	<b>Notice of Threshold Determination</b>	<b>Notice of Public Hearing</b>	<b>Notice of Final Decision</b>
<b>Categories:</b>	<b>Day 0-14</b>	<b>Day 30-79</b>	<b>Day 30-90</b>	<b>Day 30-120</b>
<b>Building Permits, Administrative Design Review, Site Development Permits, Boundary Line Adjustments, Lot Combinations, Forest Practice Request for Single-Family Dwelling Exceptions (no SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Exempt</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant</li> </ul>
<b>Building Permits, Site Development Permits (SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send SEPA Checklist to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> <li>• Mail to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Administrative Permits: Admin. Nonconforming Use Permits, Admin. Use Permits, Minor Amendments, Class IV-General Forest Practice Permits, Plat Alterations (1) (SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send SEPA Checklist to Reviewing Agencies</li> <li>• Mail to Adjacent Property Owners</li> <li>• Post Property</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> <li>• Mail to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Site Plan Review (no SEPA, public meeting required)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Mail to Adjacent Property Owners</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Post Property</li> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>

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18.80.020

	Notice of Application	Notice of Threshold Determination	Notice of Public Hearing	Notice of Final Decision
Categories:	Day 0-14	Day 30-79	Day 30-90	Day 30-120
<b>Administrative Permits:</b> <b>Admin. Nonconforming Use Permits,</b> <b>Admin. Use Permits,</b> <b>Minor Amendments,</b> <b>Plat Alterations (1),</b> <b>Binding Site Plans</b> <b>(no SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send Application to Reviewing Agencies</li> <li>• Mail to Adjacent Property Owners</li> <li>• Post Property</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Conditional Use Permits,</b> <b>PDDs, PUDs,</b> <b>Nonconforming Use Permits,</b> <b>Public Facility Permits,</b> <b>Shoreline Substantial Dev. Permits, Shoreline Nonconforming Use Permits,</b> <b>Shoreline Conditional Use Permits, Rezones,</b> <b>Plat Alterations (1)</b> <b>(SEPA, public hearing required)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send SEPA Checklist to Reviewing Agencies</li> <li>• Mail to Adjacent Property Owners</li> <li>• Post Property</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> <li>• Mail to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Adjacent Property Owners</li> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Zoning Variances,</b> <b>Shoreline Variances,</b> <b>Wetland Variances,</b> <b>Fish and Wildlife Habitat Stream Buffer Variances,</b> <b>Reasonable Use Exceptions,</b> <b>Forest Practice Request for Removal of Development Moratorium,</b> <b>Plat Alterations (1)</b> <b>(no SEPA, public hearing required)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send Application to Reviewing Agencies</li> <li>• Mail to Adjacent Property Owners</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Post Property</li> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Short Plats,</b> <b>Forest Practice Conversion Option Harvest Plans</b> <b>(no SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Post Property</li> <li>• Mail to Adjacent Property Owners</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Short Plats</b> <b>(SEPA, no public hearing)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send SEPA Checklist to Reviewing Agencies</li> <li>• Post Property</li> <li>• Mail to Adjacent Property Owners</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> <li>• Mail to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>
<b>Preliminary Plats (2)</b> <b>(SEPA, public hearing required)</b>	<ul style="list-style-type: none"> <li>• Departmental Posting</li> <li>• Send SEPA Checklist to Reviewing Agencies</li> <li>• Post Property</li> <li>• Mail to Adjacent Property Owners</li> </ul>	<ul style="list-style-type: none"> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> <li>• Mail to Reviewing Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Adjacent Property Owners</li> <li>• Publish in Newspaper</li> <li>• Mail to Applicant</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>

	Notice of Application	Notice of Threshold Determination	Notice of Public Hearing	Notice of Final Decision
Categories:	Day 0-14	Day 30-79	Day 30-90	Day 30-120
General Wetland Approval, One-Family Dwelling Wetland Approval, Agricultural Wetland Approval (no SEPA, no public hearing required)	<ul style="list-style-type: none"> <li>• Post Property</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Mail to Applicant and Parties of Record</li> </ul>

Notes:

- (1) Notice of the filing of a plat alteration shall be given to the State, municipalities, public utilities, and adjacent property owners in the following cases and manner:
  - a. When a proposed plat alteration is located within one mile of any city or town, within a city's or town's Urban Growth Area or Urban Service Area, or which contemplates the use of any public utilities, notice shall be given to the city's or town's legislative body and to the public utilities governing body.
  - b. When a proposed plat alteration is located adjacent to the right-of-way of a State highway or within two miles of the boundary of a state or municipal airport, notice shall be given to the Secretary of Transportation.
  - c. Notice shall be given to all the owners of property within the subdivision.
  - d. The notice shall include a date for a public hearing or provide that a hearing may be requested by a person receiving notice within the notice of application comment period, as set forth in Section 18.80.030 A.
- (2) Notice of the filing of a preliminary plat shall be given to the State, municipalities, public utilities, and school districts in the following cases and manner:
  - a. When a proposed subdivision which is to be located within one mile of any city or town, within a city's or town's urban growth area (UGA) or urban service area (USA), or which contemplates the use of any public utilities, notice shall be given to the city's or town's legislative body and to the public utilities governing body.
  - b. When a proposed subdivision which is to be located adjacent to the right-of-way of a State highway or within two miles of the boundary of a State or municipal airport, notice shall be given to the Washington State Secretary of Transportation.
  - c. Notice shall be given to the school district within which the subdivision is proposed.
  - d. When the proposed subdivision lies within a designated flood control zone pursuant to Chapter 86.16 RCW, notification shall be given to the Washington State Department of Ecology, or its successor.

(Ord. 2002-113s § 1 (part), 2002; Ord. 99-68 § 2, 1999; Ord. 98-87 § 1 (part), 1998; Ord. 97-84 § 1 (part), 1997)