

Only those portions of Title 18F that are proposed to be amended are shown. Remainder of text and/or tables is unchanged.

Chapter 18F.10

GENERAL PROVISIONS

18F.10.060 Exemptions and Exclusions.

A. **Exemptions.** The following land division actions are exempt from the provisions of this Title:

- 1. Cemeteries and other burial plots while used for that purpose;
- 2. Divisions of land into lots or tracts each of which is 100 acres or larger;
- 23. Divisions of land within the boundaries of an approved Planned Unit Development, Planned Development District, Master Planned Community, or preliminary plat into lots or tracts each of which is 1/32 of a Section of land, or larger, or 20 acres or larger if the land is not capable of description as a fraction of a Section of land; provided that for the purpose of computing the size of any lot which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;
- 34. Divisions of land outside the boundaries of an approved Planned Unit Development, Planned Development District, Master Planned Community, or preliminary plat into lots or tracts, each of which is 1/32 of a section of land or larger, or 20 acres or larger if the land is not capable of description as a fraction of a section of land; and which are submitted after November 1, 2005; provided:
 - a. The division meets the density or lot size zoning requirements for the area involved; provided that for the purpose of computing the size of any lot which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;
 - b. A survey of the division conducted by a licensed land surveyor is filed with the Pierce County Auditor. The survey shall be recorded and shall include the following notes:

"Future development, including but not limited to, clearing and grading, new structures and installation of infrastructure are subject to Pierce County Development Regulations."

"The Critical Area Affidavit for this division does not eliminate the necessity for critical area review at the time of development permit application."



1 "Division of any lot or tract that is 1/16 of a section (40 acres) or less shall be
2 subject to a short subdivision, large lot division or formal subdivision process as
3 set forth in Title 18F PCC and may require that infrastructure, including roads,
4 be improved to comply with Title 17A PCC, Site Development and Stormwater
5 Drainage."
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- 7 c. Each lot or tract adjoins or has legal access to a public road right-of-way private
8 road easement;
- 9 d. The property owner submits a critical area affidavit disclosing the presence or
10 absence of critical areas to ensure that each lot or tract other than a non-building
11 tract contains at least two contiguous acres (referred to as a buildable area)
12 located outside of any regulated critical area and associated setback or buffer and
13 that access to the buildable area is located outside of said setbacks or buffers.
- 14 45. A proposed division of land made by testamentary provisions or the laws of descent
15 shall be submitted to Planning and Land Services for review and approval. No
16 building permit shall be issued on a lot created through this process unless the lot
17 meets the requirements of subsection 18A.35.020 G.1.c. Testamentary divisions
18 shall also be subject to the following:
- 19 a. Applications for testamentary divisions shall contain a legal description of all
20 proposed lots.
- 21 b. Each lot must adjoin or have legal access to a public road right-of-way or private
22 road easement.
- 23 c. A note shall be recorded on the title of each lot that puts future purchasers on
24 notice of whether or not the lot was created pursuant to applicable lot size
25 requirements for construction of a single-family dwelling.
- 26 56. Divisions of land which were legally created prior to August 13, 1974;
- 27 67. Divisions of land for use solely for the installation of electric power, natural gas,
28 telephone, water supply, sewer service or County utility facilities of a similar or
29 related nature; provided, however, that any remaining lot that is nonconforming with
30 regard to density and size shall be at least of adequate size to accommodate required
31 zoning setbacks and able to meet minimum onsite sewage disposal requirements in
32 the event that sewer lines are not available within 300 feet;
- 33 78. Divisions of land for the sole purpose of enabling the County or a municipal
34 corporation to acquire land, either by outright purchase or exchange, for port
35 purposes, boat moorage or launching sites, or for park, open space, critical area,
36 conservation, viewpoint, recreational, educational or other public purposes;
37 provided, however, that any remaining lot that is nonconforming with regard to
38 density or size shall be at least of adequate size to accommodate required zoning
39 setbacks and able to meet minimum onsite sewage disposal requirements in the event
40 sewer lines are not available within 300 feet; and
- 41 89. Division of land by roads or rights-of-way.
- 42 a. The County recognizes that a parcel has been divided into separate, legal lots by
43 a State or Federal road or highway; a County road that has been adopted as part
44 of the County road system; or a County road right-of-way that has been acquired
45 or accepted by Pierce County but is an unopened County road.
- 46 b. In the case of a County road that has been adopted as part of the County road
47 system or an unopened County road right-of-way, the division line between the



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lots created shall be the centerline of the right-of-way. Where a County road or an unopened County road right-of-way is located on the margin or edge of a parcel, such right-of-way shall not divide the parcel.

910. In the case of an established railroad right-of-way, the County shall recognize that a parcel has been divided into separate, legal lots as set forth in subsection (a) and (b) above.

B. **Exclusions.** The following actions shall not be considered a land division action and are excluded from the provisions of this Title:

1. Assessor-Treasurer's Office segregations and combinations for tax purposes only;
2. Utility easements;
3. Boundary line disputes pursuant to RCW 58.04.007.



Chapter 18F.40

SUBDIVISIONS - PRELIMINARY AND FINAL PLATS

18F.40.060 Final Plat Requirements.

A. Time Limitations.

1. Applications for final plats shall be processed as outlined in accordance with Title 18 PCC. ~~For purpose of RCW 58.17.140, a proposed~~ Applications for final plat shall be submitted to the Hearing Examiner by submitting such proposed final plat to the Planning and Land Services Department within five years of the effective date of preliminary plat approval shall constitute compliance with RCW 58.17.140. ~~The Department~~ All reviewing departments shall review such proposed final plat for compliance with the Examiner's conditions of approval and upon completion of its review forward to the Examiner for approval. ~~Submittal of the proposed final plat to the Department within five years of the effective date of preliminary plat approval shall constitute compliance with RCW 58.17.140 if the applicant has received approvals on all related studies and applications, even where t~~The Department's or the Examiner's approval may occur more than five years after preliminary plat approval when all related studies and applications have received approvals and the final plat application was submitted within the time limitations specified herein.
2. Upon receipt of the final plat application, all County reviewing departments shall respond by approval, denial, or return to the applicant for modification within 30 days of filing unless the applicant consents to extensions of given time period.
3. The approval of a preliminary plat shall be deemed null and void if the application for final plat submittal or an application for time extension of time is not submitted within the time limitations specified herein.
4. Applicants will provide documentation to Pierce County setting forth a homeowners association or entity responsible for maintaining the infrastructure and amenities, including but not limited to, parks, private roads, stormwater, and open space.



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Chapter 18F.70

BOUNDARY LINE ADJUSTMENTS

18F.70.030 Boundary Line Adjustment (BLA) Requirements.

- E. **Required Written Findings and Determinations.** The Director's written decision on the boundary line adjustment shall include findings and conclusions, based on the record, to support the decision. A proposed boundary line adjustment shall not be approved unless the Director makes written findings that:
1. The boundary line adjustment complies with the provisions of this Chapter and Title and applicable County codes and state laws;
 2. The boundary line adjustment complies with the provisions of the Survey Recording Act;
 3. The boundary line adjustment does not result in an increase in the nonconformity of the project site as a whole ~~any lot, parcel, structure or density requirement unless necessary to correct a structural encroachment or at the discretion of the Planning Department;~~
 4. The proposed boundary line adjustment is independent and not part of a series of boundary line adjustments that have the effect of altering a recorded plat; and
 5. The boundary line adjustment does not negatively impact drainage, water supply, existing sewage disposal, or access.
 6. If applicable, a note that states that the lots, once combined, may not qualify to be resubdivided in the future under applicable land use regulations.
 7. If applicable, a note that states one single-family dwelling unit has been designated as an accessory dwelling unit.
- F. **Approval.** The Director may approve, or approve with conditions, the proposed boundary line adjustment if the criteria contained in this Section have been met.

