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4 *Only those portions of Title 18 that are proposed to be amended are shown. Remainder*
5 *of text, tables, maps and/or figures is unchanged.*

6
7 **18.25.030 Definitions.**
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9 "Acoustical Expert" is defined as an engineer registered in the State of Washington who is by
10 training or experience knowledgeable in acoustical engineering, an architect registered in the
11 State of Washington who is by training or experience knowledgeable in acoustic design, or an
12 industrial hygienist.

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14 "Arterials" refers to public or private collector, secondary or major arterials and state highways,
15 excluding controlled access highways or portions of state highways that have controlled access.

16
17 "Development Regulations," also referred to as "Land Use Controls," means the following
18 controls placed on development or land use activities by the County, including but not limited to,
19 comprehensive plan policies, zoning regulations, subdivision regulations, shoreline management
20 regulations, road design standards, site development regulations, ~~(other than stormwater~~
21 ~~standards and erosion/sediment control requirements)~~, forest practice regulations, sign
22 regulations, critical areas and resource lands regulations, and Hearing Examiner conditions and
23 all development regulations and land use controls that must be satisfied as a prerequisite to
24 obtaining approval. For purposes of the Title 18 series, construction and utility regulations such
25 as ~~stormwater standards and erosion/sediment control requirements contained in the Site~~
26 ~~Development Regulations~~, building standards, fire standards, sewer utility standards, and Health
27 Department standards are not considered development regulations or land use controls.

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29 "Highways" refers to any controlled access roadway.
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31 "Native vegetation or plant species" means the historic, indigenous plant community type that is
32 appropriate for the underlying soils and pattern of precipitation for a given geographic area.
33 These include a range of vegetation associations such as woodlands, grasslands, forests,
34 wetlands, mangroves etc.

35
36 "Underlying Project" refers to the principal activity or use proposed for a project site. For example, an
37 applicant proposes to develop a project site with a shopping center. The shopping center is the
38 underlying project, which may include on-site activities such as clearing, grading, demolition, and on
39 and off-site road construction and/or other types of mitigation activities.

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41 "Underlying Application" refers to the application for the underlying project. For example, for a
42 proposal that requires approval and permits for the division of land, site development, wetland
43 analysis, traffic review, environmental review, and administrative design review, the underlying
44 application is the land division. Similarly, for an application that includes a commercial building
45 permit, site development permit, environmental review, and administrative design review, the
46 underlying application is the commercial building permit. The underlying application is sometimes
47 referred to as the "parent application".
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Chapter 18.160

VESTING

Sections:

- 18.160.010 Definitions.
- 18.160.020 Purpose.
- 18.160.030 Applicability.
- 18.160.050 Vesting of Applications.
- 18.160.060 Duration of Approvals.
- 18.160.070 Modification.
- 18.160.080 Expiration of Applications.
- 18.160.090 Waiver of Vesting.

18.160.010 Definitions.

For purposes of this Chapter, the following definitions shall apply:

- A. "Complete Application" means an application submitted to the County pursuant to Title 18 that contain all of the information described in Section 18.40.020.
- B. "Development Regulations," also referred to as "Land Use Controls", means the following controls placed on development or land use activities by the County, including but not limited to, comprehensive plan policies, zoning regulations, subdivision regulations, shoreline management regulations, road design standards, site development regulations (other than stormwater standards and erosion/sediment control requirements), forest practice regulations, sign regulations, critical areas and resource lands regulations, and Hearing Examiner conditions and all development regulations and land use controls that must be satisfied as a prerequisite to obtaining approval. For purposes of this Title, construction and utility regulations such as stormwater standards and erosion/sediment control requirements contained in the Site Development Regulations, building standards, fire standards, sewer utility standards, and Health Department standards are not considered development regulations or land use controls.
- C. "Vesting" means the establishment of a date that is used to determine which development regulations the Department and Hearing Examiner will apply to the review of a complete application or approved development permit.

18.160.030 Applicability.

This Chapter applies to complete applications and permit approvals required by Pierce County pursuant to Title 18, including and limited to, use permits, preliminary plats, final plats, short plats, large lot divisions, binding site plans, shoreline development permits and any other land use permit application that is determined by the Washington State legislature law to be subject to the Vested Rights Doctrine. Vesting of building permit applications are governed by the rules of RCW 19.27.095 and Title 15 PCC.



1 **18.160.050 Vesting of Applications.**

- 2 A. An application described in Section 18.160.030 shall be reviewed for consistency with
3 the applicable development regulations in effect on the date the application is deemed
4 complete.
- 5 B. An application described in Section 18.160.030 shall be reviewed for consistency with
6 the construction and utility standards in effect on the date the separate application for a
7 construction or utility permit is deemed complete. An applicant may submit a separate
8 construction or utility permit application simultaneously with any application described
9 in Section 18.160.030 to vest for a construction or utility standard. ~~A site development
10 application for stormwater design and construction may vest on the date of preliminary
11 plat or use permit application if the applicant submits the stormwater site development
12 application within 180 days of completed preliminary plat or use permit application and
13 adheres to the process outlined in 18.40.010 D.~~ The application or approval of a
14 construction or utility permit or the payment of connection charges or administrative
15 fees to a public utility does not constitute a binding agreement for service and shall not
16 establish a vesting date for development regulations used in the review of applications
17 described in 18.160.030.
- 18 C. An application described in Section 18.160.030 utilizing vested rights shall be subject to
19 all development regulations in effect on the vesting date.
- 20 D. An application described in Section 18.160.030 that is deemed complete is vested for the
21 specific use, density, and physical development that is identified in the application
22 submittal.
- 23 E. Applications submitted pursuant to Title 18 that are not listed in Section 18.160.030
24 shall be governed by those standards which apply to said application. These
25 applications shall not vest for any additional development regulations.
- 26 F. The property owner is responsible for monitoring the time limitations and review
27 deadlines for the application. The County shall not be responsible for maintaining a
28 valid application. If the application expires, a new application may be filed with the
29 Department, but shall be subject to the development regulations in effect on the date of
30 the new application.
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