

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

**Chapter 18A.17**

**PIERCE COUNTY (OUTSIDE OF COMMUNITY PLAN AREAS)  
 USE AND DENSITY AND DIMENSION TABLES**

**18A.17.030 Density and Dimension.**

A. **Purpose.** The purpose of this Section is to establish density and dimensional standards for development. These standards are established to provide flexibility in project design and promote high density development in urban areas when utilizing incentives.

B. **Tables.**

1. **Interpretation of Tables.** The density and dimension tables are arranged in a matrix format on two separate tables; Table 18A.17.030 B.2.-1 includes Urban Zone Classifications and Table 18A.17.030 B.2.-2 includes Rural Zone Classifications. Development standards are listed down the left side of both tables and the zones are listed across the top. The matrix cells contain the applicable requirements of the zone. The footnotes in the matrix identify specific requirements applicable to a specific use or zone. A blank box indicates that the cell is not applicable.

2. **Density and Dimension Tables.**

Density and Dimension	PIERCE COUNTY (Outside of Community Plan Areas) Urban Zone Classifications (Table 18A.17.030 B.2.-1)					
	Urban Districts (±8) and Urban Residential (±8)					
	MUD	HRD	[Reserved]	MSF	[Reserved]	
	MUD Mixed Use District			MSF Moderate Density Single-Family		
	HRD High Density Residential District					
	MUD	HRD	[Reserved]	MSF	[Reserved]	
Base Density (du/ac) (1)(11)(12)	20	20		4 (1)		
Maximum Density (du/ac) (11)	25 (2)	25 (2)		6 (2)(15)		
Minimum Density (du/ac) (3)	6	6		4		
Average Lot Size (sq ft)				5,000 (17)		
Minimum Lot Size (sq ft)				4,000 (17)		
Minimum Lot Width				50' (39)		
Minimum Setback, State Highways and Major Arterials (9)(13)	25'	25'		25'		
Minimum Setback, Other Roads (9)(13)	25'	25'		25' (28)		
Minimum Setback, Rear (13)	0' (4)	0' (4)		10'		
Minimum Setback, Interior (13)	0' (4)	0' (4)		5'		
Height	60'	40'		35'		
<b>Note: All footnotes are described in Section 18A.17.030 B.3.</b>						



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3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.17.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



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*Chapter 18A.18*

***ALDERTON-McMILLIN USE AND DENSITY AND DIMENSION TABLES***

**18A.18.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.18.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



Chapter 18A.19

ANDERSON AND KETRON ISLANDS USE AND DENSITY AND DIMENSION TABLES

18A.19.030 Density and Dimension.

B. Tables.

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.19.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



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*Chapter 18A.20*

***BROWNS POINT/DASH POINT USE AND DENSITY AND DIMENSION TABLES***

**18A.20.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.20.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



Chapter 18A.22

FREDERICKSON USE AND DENSITY AND DIMENSION TABLES

18A.22.030 Density and Dimension.

B. Tables.

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.22.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



Chapter 18A.23

GIG HARBOR PENINSULA USE AND DENSITY AND DIMENSION TABLES

18A.23.030 Density and Dimension.

B. Tables.

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.23.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.

~~(16) See Section 18A.35.030 J.3.e. for highway and arterial buffer standards for the Gig Harbor and Key Peninsula areas.~~

(42) **Essential Public Facility-Rural Airport.** For areas within the PUD, the density and dimension standards described in the PUD shall control. New developments adjacent to 26<sup>th</sup> Street NW shall provide Level 3 landscaping (~~18A.35.030 H.3.~~ 18J.15.040 H.3.) adjacent to the road right-of-way.



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*Chapter 18A.24*

***GRAHAM USE AND DENSITY AND DIMENSION TABLES***

**18A.24.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.24.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



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*Chapter 18A.26*

**KEY PENINSULA USE AND DENSITY AND DIMENSION TABLES**

**18A.26.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.26.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.

~~(16) See Section 18A.35.030 J.3.c. for highway and arterial buffer standards for the Gig Harbor and Key Peninsula areas.~~



Chapter 18A.27

MID-COUNTY USE AND DENSITY AND DIMENSION TABLES

18A.27.030 Density and Dimension.

B. Tables.

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.27.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



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*Chapter 18A.28*

***PARKLAND-SPANAWAY-MIDLAND  
USE AND DENSITY AND DIMENSION TABLES***

**18A.28.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.28.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



Chapter 18A.29

*SOUTH HILL USE AND DENSITY AND DIMENSION TABLES*

18A.29.030 Density and Dimension.

B. Tables.

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.29.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.

(43) **Mixed Use Buildings.** The maximum density may be increased to 60 dwelling units per acre when commercial, civic, or office/business uses occupy the entire first floor or street level floor of all buildings adjacent to a public roadway classified as an arterial pursuant to 12.03.040 B.1., 2., or 3., or a private roadway which is constructed to meet the requirements of ~~18J.50.040 H.2.b.~~ 18J.50.040 F.2.b. and connects at both ends to a public roadway classified as an arterial pursuant to 12.03.040 B.1., 2., or 3.



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*Chapter 18A.31*

***UPPER NISQUALLY USE AND DENSITY AND DIMENSION TABLES***

**18A.31.030 Density and Dimension.**

**B. Tables.**

3. **Footnotes to Tables.** This subsection pertains to the parenthetical numbers in Tables 18A.31.030 B.2.-1 and B.2.-2.

(2) **Maximum Density.** In an MSF classification sanitary sewers are required to achieve the maximum density. In all other classifications maximum densities shall be achieved through one of the following methods: the application of density incentives and exceptions (18A.35.020 C.), transfer of development rights, or planned unit developments. An applicant may plan for maximum density through shadow platting (see also ~~18J.15.020 F~~ 18J.15.160.).

(13) Landscape buffer requirements of Section ~~18A.35.030~~ 18J.15.040 may result in setbacks greater than indicated in Section 18A.17.030.



Chapter 18A.35

DEVELOPMENT STANDARDS

Sections:

- 18A.35.020 Density and Dimension.
- ~~18A.35.030 Landscaping.~~
- 18A.35.040 Loading Area Requirements and Offstreet Parking.
- 18A.35.050 Open Space and Set Aside.
- 18A.35.060 Home Occupations and Cottage Industries.
- 18A.35.070 Day-Care Facilities.
- 18A.35.080 Accessory Dwelling Units.
- 18A.35.090 Agricultural Uses and Animals.
- 18A.35.100 Adult Businesses.
- 18A.35.110 Mobile Home Parks.
- 18A.35.115 Recreational Vehicle Parks.
- 18A.35.120 Solid/Hazardous Waste Handling, Treatment, and Storage Facilities.
- 18A.35.130 Nonconforming Standards.
- 18A.35.140 Telecommunication Towers and Wireless Facilities.
- 18A.35.150 Construction and Contractor Facility Standards.
- 18A.35.160 Water Storage Facilities.
- 18A.35.165 Outdoor Stockpile Standards.

Section 18A.35.030, "Landscaping," is deleted in its entirety.

18A.35.020 Density and Dimension.

G. General Development Standards.

- 8. **Noise Attenuating Barriers.** Any noise attenuating barrier, built in accordance with the standards for noise attenuating barriers in Section 18J.15.050070, may be placed within required setbacks to the height specified in the permit, provided that all applicable sight distance requirements of PCC Titles 17A and 17B are met.

18A.35.050 Open Space Lands.

D. General Provisions.

- 2. **Permitted Uses.** The following uses shall be permitted in areas which have been classified for rural or urban open space:
  - a. **Rural Open Space:**
    - (1) passive recreation and associated accessory structures;
    - (2) golf course (excluding areas devoted to maintenance buildings, commercial structures, and parking areas);
    - (3) agricultural practices and associated agricultural structures;
    - ~~(4) aquaculture;~~



1 (54) forestry practices based on an approved timber management plan as  
2 determined by the Department of Natural Resources or Natural Resource  
3 Conservation Service;

4 (65) pervious and impervious surface trails; and

5 (76) drainfields.

6 b. **Urban Open Space:**

7 (1) pervious and impervious surface trails;

8 (2) passive recreation and associated accessory structures;

9 (3) agricultural practices and associated agricultural structures;

10 (4) aquaculture;

11 (54) utility easements; and

12 (65) drainfields.

- 13 3. **Low Impact Development Standards.** Within the Gig Harbor Peninsula  
14 Community Plan Area, any development within designated open space areas shall  
15 utilize low impact development techniques. ~~Standards described in Chapter 10 of~~  
16 ~~the Pierce County Stormwater Management and Site Development Manual (see Title~~  
17 ~~17A PCC) may be used to meet the required impervious surface requirement as set~~  
18 ~~forth in PCC 18J.15.~~

19  
20 **18A.35.090 Agricultural Uses and Animals.**

- 21 B. **General Standards.** Agricultural uses and animals that are permitted in the Use Tables  
22 or pursuant to Section 18A.35.090, Agricultural Uses and Animals, shall be subject to  
23 the following requirements:

- 24 1. **Animals As a Principal Use.** Animals shall be permitted subject to the following  
25 criteria:

- 26 a. **Livestock.** Livestock shall be permitted subject to this Section and the following  
27 provisions:

28 (1) A fence used to enclose pasture lands may be constructed on the property  
29 line.

30 (2) A fence constructed to permanently keep livestock out of buffers abutting  
31 streams, rivers, ~~and wetlands~~ ~~and other critical areas as appropriate~~ shall be  
32 required pursuant to ~~Chapters 17.12, Wetlands, and 21.18, Fish and Wildlife~~  
33 ~~Habitat Areas~~ ~~Title 18E, Development Regulations – Critical Areas.~~ Such  
34 fence shall be constructed before livestock is introduced to a site.

35 (3) Any barn, stable, riding arena, paddock, or similar enclosure shall be  
36 setback 45 feet from any adjacent property line.

- 37 b. **Small Animals.** Small animals shall be permitted subject to the following  
38 provisions:

39 (1) Any cages, coop or enclosure shall be setback 45 feet from any adjacent  
40 property line except kennels or catteries which shall be setback 75 feet from  
41 any adjacent property line.

- 42 c. **Wild Animals and Reptiles.** No person shall have, maintain, or possess any  
43 wolf, fox, chimpanzee, or other exotic, vicious, or poisonous animal or reptile  
44 except as set forth in Chapter 6.16.

- 45 C. **Urban Area Requirements.** Agricultural uses and animals shall be permitted in all  
46 urban zoning classifications as an accessory use to a residential dwelling subject to the



standards in this Section. The following requirements apply to livestock and small animals kept in urban areas:

1. Livestock are not permitted on lots less than 1 acre in size.
2. On any lot from 1 acre to less than 5 acres in size, the number of livestock shall not exceed 2 such animals which are 12 months or more of age.
3. No more than 6 poultry, peacocks, or rabbits and similar small animals in any combination are permitted on lots less than 1 acre.
4. On any lot from 1 acre to less than 5 acres in size, no more than 12 poultry, peacocks, or rabbits and similar small animals in any combination are permitted per acre.
5. On any lot 5 acres or greater in size, there shall be no restriction on the number of animals kept subject to the other provisions in this Section.
6. Any cages, barn, stable, coop or enclosure shall be setback 45 feet from any adjacent property line except kennels or catteries which shall be setback 75 feet from any adjacent property lines.
7. Dogs and Cats. Any combination of five dogs or cats that individually exceed seven months of age are permitted. Any combination of six or more dogs or cats that individually exceed seven months of age are by definition a kennel permitted pursuant to (see Section 18A.33.260 D., Animal Production, Boarding and Slaughtering) and are regulated as a use type by zone classification.

D. **Rural Area Requirements.** Agricultural uses and animals shall be permitted in all rural zoning classifications as an accessory use to a residential dwelling subject to the standards in Section 18A.35.090 B.1.a. and b. The following requirements apply to livestock and small animals kept in rural areas:

1. Livestock are not permitted on lots less than one-half acre.
2. On lots less than one-half acre in size, poultry, pigeons, peacocks, and similar birds and rabbits and similar animals are limited to a total of 12 in any combination.
3. On lots one-half acre or greater in size, there shall be no restriction on the number of animals kept subject to the other provisions in this Section.
4. Any cages, coop or enclosure shall be setback 45 feet from any adjacent property line except kennels or catteries which shall be setback 75 feet from any adjacent property lines.
5. Dogs and Cats. Any combination of five or fewer dogs or cats that individually exceed seven months of age are permitted. Any combination of six or more dogs or cats that individually exceed seven months of age are by definition a kennel (see Section 18A.33.260 D., Animal Production, Boarding and Slaughtering) and are regulated as a use type by zone classification.

F. **Hobby Farms.** Farm animals, agricultural activities, and associated structures may be established on any lot as a non-commercial use ~~without an associated dwelling unit,~~ provided:

1. The applicant completes a Hobby Farm Agreement provided by the Planning and Land Services Department (PALS). Each Hobby Farm Agreement shall include the following information:
  - a. Define A description of the type and intensity of all proposed agricultural activities;
  - b. Clarify Statement that the use of the site is for private, non-commercial use;



- c. Provide time frames for periodic Departmental monitoring. A scaled site plan which clearly depicts the limits and type of agricultural uses on the site; and
- d. Be signed by the property owner and recorded as a title notice with the Pierce County Auditor.

2. Following approval by PALS, the Hobby Farm Agreement shall be signed by the property owner and recorded as a title notice with the Pierce County Auditor.

23. Hobby farms must comply with all other requirements of this Section.

4. Hobby Farms shall include only those uses permitted outright in the underlying zone except as specifically allowed pursuant to 18A.35.090 C. and D. above.

~~G. **Farm Management Plans.** The requirements in this Section may be exceeded provided the property owner completes and complies with a Farm Management Plan in conjunction with the Pierce County Conservation District, the Natural Resources Conservation Service, or other agency acceptable to the Department. The Plan must address, at a minimum, best management practices for the control of animal wastes, stormwater runoff, and erosion.~~

~~HG. **Commercial Agricultural Activities.** See Section 18A.33.260, Resource Use Category, for commercial agricultural uses; and Section 18A.35.060, Home Occupations and Cottage Industries, for home occupations and cottage industries.~~

#### 18A.35.115 Recreational Vehicle Parks.

F. **Design Standards.** The minimum design standards for recreational vehicle parks shall be as follows:

- 8. Landscaping/Screening. A 20-foot-wide L3 landscaping buffer meeting the requirements of Section 18J.15.040 H.3. shall be provided around the perimeter of the parcel.

#### 18A.35.150 Construction and Contractor Facility Standards.

D. **Design.** This subsection is intended to assist applicants in designing construction and contracting services facilities to be consistent with planning objectives. These design criteria shall be used by staff, the Director and the Hearing Examiner in reviewing development proposals.

##### 2. Interior Fencing and Screening.

- a. Outdoor storage areas must be secured by a surrounding fence or other enclosure. Within an urban growth area, the fence or enclosure shall be sight obscuring and shall meet the standards set forth in Section ~~18A.35.030 H.4~~ 18J.15.040 H.5.

##### 3. Exterior Screening.

- b. The required visual screening buffer(s) shall not be less than 30 feet in width and shall provide a site-obscuring screen within three years. If existing flora does not provide the required sight-obscuring screen, supplemental plantings and/or sight-obscuring fencing shall be required. When supplemental plantings are proposed, irrigation must be provided meeting the standards set forth in Section ~~18A.35.030~~ 18J.15.110 C.5. One access way, not wider than 30 feet, will be allowed to cut through the designated visual screening buffer area. No other cutting of trees will be allowed within the designated visual buffer area for the life of the approved project, except as provided for dangerous or diseased trees.



1 **18A.35.160 Water Storage Facilities.**

2 C. **General Development Standards.** A water storage facility may be permitted only  
3 when the following criteria are met and maintained.

4 2. **Exterior Screening.** These standards are in addition to landscaping standards  
5 required in PCC ~~18A.35.030~~ 18J.15.040.

6 b. The required visual screening buffer(s) shall meet the requirements for a  
7 Landscape Level 2 – L2 (18J.15.040 H.2.). If existing vegetation does not  
8 provide the required sight-obscuring screen, supplemental plantings shall be  
9 required. When supplemental plantings are proposed, irrigation must be  
10 provided meeting the standards set forth in Section ~~18A.35.030~~ 18J.15.110 C.5.  
11 One access way, not wider than 30 feet, will be allowed to cut through the  
12 designated visual screening buffer area. No other cutting of trees will be allowed  
13 within the designated visual buffer area for the life of the approved project,  
14 except as provided for dangerous or diseased trees.

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16 **18A.35.165 Outdoor Stockpile Standards**

17 C. **Design Standards.** This subsection is intended to assist applicants in site planning.  
18 These design criteria shall be used by staff, the Director and the Hearing Examiner in  
19 reviewing development proposals.

20 3. **Interior Fencing and Screening.**

21 a. Outdoor stockpile areas must be secured by a surrounding fence or other  
22 enclosure. Within an urban growth area, the fence or enclosure shall be sight  
23 obscuring and shall meet the standards set forth in Section ~~18A.35.030 H.4~~  
24 18J.15.040 H.5.

25 b. Loading areas should be located to the side or rear of existing buildings to  
26 minimize views of this activity and shall be screened from adjacent properties  
27 and streets using a sight-obscuring fence or wall meeting the requirements of  
28 Section ~~18A.35.030 H.5.~~ 18J.15.040 H.5,

29 4. **Exterior Screening.**

30 b. Within the required setback, the required visual screening buffer(s) width shall  
31 not be less than 30 feet in width and shall provide a site-obscuring screen within  
32 three years. If existing vegetation does not provide the required sight-obscuring  
33 screen, supplemental plantings or sight-obscuring fencing shall be required.  
34 When supplemental plantings are proposed, irrigation must be provided meeting  
35 the standards set forth in Section ~~18A.35.030~~ 18J.15.110 C.5. One access way,  
36 not wider than 30 feet, will be allowed to cut through the designated visual  
37 screening buffer area. No other cutting of trees will be allowed within the  
38 designated visual buffer area for the life of the approved project, except as  
39 provided for dangerous or diseased trees.

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41 **18A.35.170 Outdoor Event Facilities**

42 C. **Development Standards and Design Requirements.** Outdoor events facilities shall  
43 only be permitted when the following criteria are met.

44 3. **Noise.** Noise originating from the site shall be buffered to the maximum extent  
45 possible and be minimized to serve the needs of the facility while limiting impacts to  
46 adjacent parcels.



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- b. A noise attenuating barrier described in 18J.15.050070 may be required to attenuate noise from an outdoor event at the discretion of the Hearing Examiner or Director.
- 4. **Buffers and Screening.** Adequate buffering addressing noise, lighting, parking areas, and other identified impacts is required at varying levels depending upon adjacent uses, adjacent zoning, and type of impact. Interior and exterior buffers are required depending upon proposed on-site and off-site impacts. These standards are in addition to the landscaping standards of Section 18A.35.030 18J.15.040.
  - b. **Exterior.** A site obscuring fence, wall or landscape buffer shall be provided around the perimeter of either the entire parcel or proposed use area, where appropriate, proposed to accommodate outdoor events located adjacent to an existing residential use, public or private right-of-way, access easement, or any parcel within an Urban Residential or Rural Residential zone classification. (See Section 18A.33.020 for a complete list of zone classifications).
    - (4) If existing vegetation is not adequate to accomplish the required buffer, supplemental plantings shall be utilized. Irrigation must be provided meeting the standards set forth in Section 18A.35.030 18J.15.110 C.5.
- 5. **Setbacks.** All outdoor events shall maintain a minimum 50 foot setback from parcel boundaries adjacent to an existing residential use, public or private right-of-way, access easement, or any parcel within an Urban Residential or Rural Residential zone classification (see Section 18A.33.020 for a complete list of zone classifications). The minimum setback for outdoor event activities may be reduced to 35 feet when noise attenuating measures described in 18J.15.050070 are implemented, except where the zone classification requires a larger building setback, in which case, all events shall maintain that setback designated for building setback, whichever is greater.

Chapter 18A.75

USE PERMITS

Sections:

- 18A.75.010 Modification, Amendment, Extension and Relinquishment of Permits
- 18A.75.020 Administrative Use Permit.
- 18A.75.030 Conditional Use Permit.
- 18A.75.040 Variances.
- 18A.75.050 Planned Development Districts.
- 18A.75.060 Public Facilities Permit.
- 18A.75.070 Nonconforming Use Permit.
- 18A.75.080 Planned Unit Development.

**18A.75.010 Modification, Amendment, Extension and Relinquishment of Permits.**

Procedures for application modification, review and amendment as well as permit extensions and relinquishment are outlined in Chapter 18A.85. For additional information about application requirements, see Chapter 18.40; for public hearing and appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see Chapter 18.140.

**18A.75.020 Administrative Use Permit**

~~C. **Procedures.** Procedures for application modification, review and amendment as well as permit extensions and relinquishment are outlined in Chapter 18A.85. For additional information about application requirements, see Chapter 18.40; for appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see Chapter 18.140.~~

**18A.75.030 Conditional Use Permit**

~~C. **Procedures.** Procedures for application modification, review and amendment as well as permit extensions and relinquishment are outlined in Chapter 18A.85. For additional information about application requirements, see Chapter 18.40; for public hearing and appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see Chapter 18.140.~~

**18A.75.040 Variances.**

A. **Purpose.** The purpose of this Section is to provide a means of altering deviating from the requirements of this Title in specific instances where the strict application of those these requirements would deprive a prevent property from of privileges enjoyed by being utilized in a similar manner as other properties in the same with the identical regulatory zone classification because of special features or constraints unique to the property involved.

B. **Granting of Variances.** The Examiner shall have the authority to grant a Variance from the provisions of this Title, when, in the opinion of the Examiner, the conditions as set forth in subsection C. herein have been met. In such cases a Variance may be granted



1 which is in harmony with the general purpose and intent of this Title so that the spirit of  
2 this Title shall be observed, public safety and welfare secured, and substantial justice  
3 done. No variance shall be granted to permit the establishment of a use or density  
4 otherwise prohibited in the zone in which the property concerned is located, or to waive  
5 applicable design provisions described in Title 18J. Applications for such variances shall  
6 not be accepted for processing.

7 **B. Applicability.**

- 8 1. A variance may be used to deviate from a standard required by Title 18A.  
9 2. No variance shall be granted to permit the establishment of a use or density  
10 otherwise prohibited in the zone in which the property concerned is located, or to  
11 waive applicable design standards described in Title 18J.  
12 3. Where a variance has been granted, further reduction or deviations, such as those  
13 allowed in 18A.35.020 D. for setback exceptions, shall not be approved or allowed.

14 **C. Required Showings (Findings) for a Variance Review Criteria.** Before any

15 A variance may be granted, it shall be shown that:

- 16 1. That there are special circumstances applicable to the subject property or to the  
17 intended use such as shape, topography, location, or surroundings that do not apply  
18 generally to the other property or class of use in the same vicinity and zone;  
19 2. That such variance is necessary for the preservation and enjoyment of a  
20 substantial property right or use possessed by other property in the same vicinity and  
21 zone but which because of special circumstances is denied to the property in  
22 question;  
23 3. That the granting of such variance will not be materially detrimental to the public  
24 welfare or injurious to the property or improvement in such vicinity and zone in  
25 which the subject property is located;  
26 4. That the granting of such variance is consistent with will not adversely affect the  
27 Comprehensive Plan including any applicable Community Plan; and  
28 5. No significant adverse environmental impact will be caused as a result of the  
29 variance approval.

30 **D. Conditions on Variances.** When granting a Variance, the Examiner shall determine  
31 that the circumstances do exist as required by subsection C. of this Section, and attach  
32 specific conditions to the Variance which will serve to accomplish the standards,  
33 criteria, and policies established by this Title.

34 **D. Review Process.**

- 35 1. An application for variance to deviate from a development standard shall be  
36 reviewed and granted or denied by the Hearing Examiner.

37 **E. Procedures.** Procedures for application modification, review and amendment as well as  
38 permit extensions and relinquishment are outlined in Chapter 18A.85. For additional  
39 information about application requirements, see Chapter 18.40; for public hearing and  
40 appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for  
41 public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see  
42 Chapter 18.140.

43 **E. Approval Subject to Conditions.** Approval may include specific conditions which will  
44 serve to accomplish the standards and criteria established by this Title and policies  
45 established by the Comprehensive Plan and any applicable Community Plan.  
46  
47



1 **18A.75.050 Planned Development Districts.**

2 P. **Permissive Variation from Standard Requirements.** In considering a proposed  
3 development plan, the approval may involve modifications in the regulations,  
4 requirements, and standards of the underlying zone in which the project is located to  
5 appropriately accomplish the purpose of this Section. In making such modifications as  
6 are deemed appropriate, the following guidelines shall apply:

7 ~~4. **Yards:** The requirement for yards in a PDD shall be the same as required by the~~  
8 ~~underlying zone for those yards abutting the exterior boundary of the PDD.~~  
9 ~~Reductions in yard requirements abutting the exterior boundary of the PDD shall be~~  
10 ~~authorized only through the granting of a variance. Yard requirements for any yard~~  
11 ~~not abutting or adjoining an exterior boundary of a PDD shall be as authorized in the~~  
12 ~~preliminary development plan. For reductions in Urban Residential Single Family~~  
13 ~~Detached developments, refer to Table 18A.75.050-1.~~

14 ~~S. **Procedures.** Procedures for application modification, review and amendment as well as~~  
15 ~~permit extensions and relinquishment are outlined in Chapter 18A.85. For additional~~  
16 ~~information about application requirements, see Chapter 18.40; for public hearing and~~  
17 ~~appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for~~  
18 ~~public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see~~  
19 ~~Chapter 18.140.~~

20  
21 **18A.75.060 Public Facilities Permit.**

22 ~~C. **Procedures.** Procedures for application modification, review and amendment as well as~~  
23 ~~permit extensions and relinquishment are outlined in Chapter 18A.85. For additional~~  
24 ~~information about application requirements, see Chapter 18.40; for public hearing and~~  
25 ~~appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for~~  
26 ~~public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see~~  
27 ~~Chapter 18.140.~~

28  
29 **18A.75.070 Nonconforming Use Permit.**

30 ~~G. **Procedures.** Procedures for application modification, review and amendment as well as~~  
31 ~~permit extensions and relinquishment are outlined in Chapter 18A.85. For additional~~  
32 ~~information about application requirements, see Chapter 18.40; for public hearing and~~  
33 ~~appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for~~  
34 ~~public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see~~  
35 ~~Chapter 18.140.~~

36  
37 **18A.75.080 Planned Unit Development**

38 ~~Q. **Procedures.** Procedures for application modification, review and amendment as well as~~  
39 ~~permit extensions and relinquishment are outlined in Chapter 18A.85. For additional~~  
40 ~~information about application requirements, see Chapter 18.40; for public hearing and~~  
41 ~~appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for~~  
42 ~~public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see~~  
43 ~~Chapter 18.140.~~

