

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.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;~~
- (5) forestry practices based on an approved timber management plan as determined by the Department of Natural Resources or Natural Resource Conservation Service;
- (6) pervious and impervious surface trails; and
- (7) drainfields.

b. **Urban Open Space:**

- (1) pervious and impervious surface trails;
- (2) passive recreation and associated accessory structures;
- (3) agricultural practices and associated agricultural structures;
- ~~(4) aquaculture;~~
- (5) utility easements; and
- (6) drainfields.

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

18A.35.090 Agricultural Uses and Animals.

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 at least 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. Following approval by PALS, the Agreement shall ~~b~~Be signed by the property owner and recorded as a title notice with the Pierce County Auditor.
- 2. Hobby farms must comply with all other requirements of this Section.
- 3. Hobby Farms shall include only those uses permitted outright in the underlying zone, unless such un-permitted use is specifically allowed by this Section.

~~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.~~



1 **HG. Commercial Agricultural Activities.** See Section 18A.33.260, Resource Use Category,
2 for commercial agricultural uses; and Section 18A.35.060, Home Occupations and
3 Cottage Industries, for home occupations and cottage industries.
4

5 **18A.35.115 Recreational Vehicle Parks.**

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

- 8 8. Landscaping/Screening. A 20-foot-wide L3 landscaping buffer shall be provided
9 around the perimeter of the parcel pursuant to Section ~~18A.35.030 H.3~~ 18J.15.040
10 H.3.
11

12 **18A.35.150 Construction and Contractor Facility Standards.**

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

17 2. **Interior Fencing and Screening.**

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

23 3. **Exterior Screening.**

- 24 b. The required visual screening buffer(s) shall not be less than 30 feet in width and
25 shall provide a site-obscuring screen within three years. If existing flora does not
26 provide the required sight-obscuring screen, supplemental plantings and/or sight-
27 obscuring fencing shall be required. When supplemental plantings are proposed,
28 irrigation must be provided meeting the standards set forth in Section
29 ~~18A.35.030~~ 18J.15.040. One access way, not wider than 30 feet, will be allowed
30 to cut through the designated visual screening buffer area. No other cutting of
31 trees will be allowed within the designated visual buffer area for the life of the
32 approved project, except as provided for dangerous or diseased trees.

33 **18A.35.160 Water Storage Facilities.**

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

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

- 38 b. The required visual screening buffer(s) shall meet the requirements for a
39 Landscape Level 2 – L2 (18J.15.040 H.2.). If existing vegetation does not
40 provide the required sight-obscuring screen, supplemental plantings shall be
41 required. When supplemental plantings are proposed, irrigation must be
42 provided meeting the standards set forth in Section ~~18A.35.030~~ 18J.15.110 C.5.
43 One access way, not wider than 30 feet, will be allowed to cut through the
44 designated visual screening buffer area. No other cutting of trees will be allowed
45 within the designated visual buffer area for the life of the approved project,
46 except as provided for dangerous or diseased trees.
47



1 **18A.35.165 Outdoor Stockpile Standards**

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

5 3. **Interior Fencing and Screening.**

6 a. Outdoor stockpile areas must be secured by a surrounding fence or other
7 enclosure. Within an urban growth area, the fence or enclosure shall be sight
8 obscuring and shall meet the standards set forth in Section ~~18A.35.030 H.4~~
9 **18J.15.040 H.4.**

10 b. Loading areas should be located to the side or rear of existing buildings to
11 minimize views of this activity and shall be screened, in accordance with fencing
12 standards contained in Section ~~18A.35.030 H.5.~~ **18J.15.040 H.5,** from adjacent
13 properties and streets.

14 4. **Exterior Screening.**

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

25
26 **18A.35.170 Outdoor Event Facilities**

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

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

32 b. A noise attenuating barrier described in ~~18J.15.050~~ **070** may be required to
33 attenuate noise from an outdoor event at the discretion of the Hearing Examiner
34 or Director.

35 4. **Buffers and Screening.** Adequate buffering addressing noise, lighting, parking
36 areas, and other identified impacts is required at varying levels depending upon
37 adjacent uses, adjacent zoning, and type of impact. Interior and exterior buffers are
38 required depending upon proposed on-site and off-site impacts. These standards are
39 in addition to the landscaping standards of Section ~~18A.35.030~~ **18J.15.040.**

40 b. **Exterior.** A site obscuring fence, wall or landscape buffer shall be provided
41 around the perimeter of either the entire parcel or proposed use area, where
42 appropriate, proposed to accommodate outdoor events located adjacent to an
43 existing residential use, public or private right-of-way, access easement, or any
44 parcel within an Urban Residential or Rural Residential zone classification. (See
45 Section 18A.33.020 for a complete list of zone classifications).



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(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.15.040.

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.15.050~~ 18J.15.070 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 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.
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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.~~

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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.~~



1
2 **AMENDMENTS TO FOOTNOTES**

3 Footnote #2 throughout Title 18A should be changed as follows:

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

10
11 Footnote #13 throughout Title 18A should be changed as follows:

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

14
15 Footnote #16 throughout Title 18A should be changed as follows:

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

18
19 Footnote #42 throughout Title 18A should be changed as follows:

- 20 (42) **Essential Public Facility-Rural Airport.** For areas within the PUD, the
21 density and dimension standards described in the PUD shall control. New
22 developments adjacent to 26th Street NW shall provide Level 3 landscaping
23 (~~18A.35.030 H.3.~~ 18J.15.040 H.3.) adjacent to the road right-of-way.

24
25 Footnote #43 throughout Title 18A should be changed as follows:

- 26 (43) **Mixed Use Buildings.** The maximum density may be increased to 60
27 dwelling units per acre when commercial, civic, or office/business uses
28 occupy the entire first floor or street level floor of all buildings adjacent to a
29 public roadway classified as an arterial pursuant to 12.03.040 B.1., 2., or 3., or
30 a private roadway which is constructed to meet the requirements of
31 ~~18J.50.040 H.2.b.~~ 18J.50.040 F.2.b. and connects at both ends to a public
32 roadway classified as an arterial pursuant to 12.03.040 B.1., 2., or 3.
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