

Title 18I

DEVELOPMENT REGULATIONS - NATURAL RESOURCE LANDS

CHAPTERS:

- 18I.10 GENERAL PROVISIONS.**
- 18I.20 USE REGULATIONS.**
- 18I.30 AGRICULTURAL LANDS.**
- 18I.35 RIGHT TO FARM PROTECTIONS.**
- 18I.40 FOREST LANDS.**
- 18I.50 MINERAL RESOURCE LANDS.**
- 18I.60 PROPERTY ADJACENT TO DESIGNATED RESOURCE LANDS.**

Chapter 18I.10

GENERAL PROVISIONS

Sections:

- 18I.10.010 Authority and Title.**
- 18I.10.020 Purpose and Goals.**
- 18I.10.030 Intent.**
- 18I.10.040 Interpretation.**
- 18I.10.050 Definitions.**
- 18I.10.060 Applicability and Mapping.**
- 18I.10.070 Appeals.**
- 18I.10.080 Review Process.**
- 18I.10.090 Title, Plat, and Regulated Activities Notification.**
- 18I.10.100 Compliance.**
- 18I.10.110 Severability.**

18I.10.010 Authority and Title.

This Title is established pursuant to RCW 36.70A.060 and Pierce County Resolution No. R91-9.

This Title shall be known as "Title 18I, Development Regulations - Natural Resource Lands."

(Ord. 97-84 § 8 (part), 1997)

18I.10.020 Purpose and Goals.

The regulations established in this Title are intended to protect and conserve natural resource land features in Pierce County. By regulating development within and adjacent to or abutting natural resource lands, this Title seeks to implement the following goals adopted by Ordinance No. 91-47S:

- A. Maintain and enhance resource land-based industries including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive Forest Lands and productive Agricultural Lands and discourage incompatible uses.
- B. Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.
- C. Protect the environment and enhance the State's high quality of life including air and water quality and the availability of water.

(Ord. 97-84 § 8 (part), 1997)

18I.10.030 Intent.

Agricultural, Forest, and Mineral Resource Lands constitute natural resource lands. All of these areas are of special concern to the people of Pierce County and the State of Washington. The intent of this Title is to conserve the natural resource lands of Pierce County by establishing minimum standards for development of sites which contain or are adjacent to natural resource lands and thus promote the public health, safety, and welfare by:

- A. Mitigating unavoidable impacts by regulating development;
- B. Protecting from impacts of development;

- C. Protecting the public against losses from:
 - 1. Costs of public emergency rescue and relief operations where the causes are avoidable;
 - 2. Degradation of the natural environment and the expense associated with repair or replacement;
- D. Preventing adverse impacts on water availability, water quality, wetlands, and streams;
- E. Protecting unique, fragile, and valuable elements of the environment;
- F. Providing County officials with sufficient information to adequately protect natural resource lands when approving, conditioning, or denying public or private development proposals;
- G. Implementing the goals and requirements of the Growth Management Act of 1990, the State Environmental Policy Act, the Puget Sound Water Quality Management Plan, the Pierce County Charter, the Pierce County Interim Growth Management Policies, the Pierce County Comprehensive Plan, and all updates and amendments, functional plans, and other land use policies formally adopted or accepted by Pierce County.

(Ord. 97-84 § 8 (part), 1997)

18I.10.040 Interpretation.

In the interpretation and application of this Title, all provisions shall be:

- A. Considered the minimum necessary;
- B. Liberally construed to serve the purposes of this Title; and
- C. Deemed neither to limit nor repeal any other powers under State statute.

(Ord. 97-84 § 8 (part), 1997)

18I.10.050 Definitions.

See Chapter 18.25 for a complete list of defined terms.

(Ord. 2004-58s § 6, 2004; Ord. 97-84 § 8 (part), 1997)

18I.10.060 Applicability and Mapping.

- A. **Applicability.** This Title shall apply to all properties which are designated as natural resource lands (Agricultural Lands, Forest Lands, or Mineral Resource Lands) or properties adjacent to designated resource lands by Pierce County. When the requirements of this Title are more stringent than those of other Pierce County codes and regulations, the requirements of this Title shall apply.
- B. **Mapping.**
 - 1. The location of natural resource lands are depicted in the Pierce County Zoning Atlas.
 - 2. The location of properties adjacent to designated resource lands are depicted in the Historical Zoning Atlas Maps for Pierce County as PAR.
 - 3. The Pierce County Zoning Atlas and Historical Zoning Atlas Maps shall be updated and maintained by the Cartography Laboratory of the Department of Planning and Land Services.

(Ord. 97-84 § 8 (part), 1997)

18I.10.070 Appeals.

Procedures for appeal of an administrative decision issued pursuant to this Title are set forth in Chapter 1.22 PCC. (Ord. 97-84 § 8 (part), 1997)

18I.10.080 Review Process.

- A. The Department shall perform a natural resource lands review of any Pierce County permit or approval requested for any regulated activity, including but not limited to those set forth in Section 18I.20.020 on a site which includes or is adjacent to or abutting one or more natural resource lands unless otherwise provided in this Title.
- B. As part of all development applications:
 - 1. The Department shall review the information submitted by the applicant to:
 - a. Confirm the nature and type of the natural resource land and evaluate any required title, plat, and/or regulated activities notification;
 - b. Determine whether the development proposal is consistent with this Title; and
 - c. Determine whether any proposed alterations to the site containing natural resource lands are necessary.
- C. Pierce County may approve, approve with conditions, or deny any development proposal in order to comply with the requirements and carry out the goals, purposes, objectives, and requirements of this Title.
- D. Approval of a development proposal does not discharge the obligation of the applicant to comply with the provisions of this Title.

(Ord. 97-84 § 8 (part), 1997)

18I.10.090 Title, Plat, and Regulated Activities Notification.

- A. If more than one resource land subject to the provisions of this Title exists on the site, then one notice which addresses all of the resource lands shall be sufficient.
- B. Notification shall be approved by the Department and shall be consistent with the forms set forth in Chapters 18I.30, 18I.40, 18I.50, and 18I.60, as applicable.
- C. Title notifications shall be notarized and recorded with the Pierce County Auditor prior to approval of any regulated use or activity for the site.

(Ord. 97-84 § 8 (part), 1997)

18I.10.100 Compliance.

The regulations for compliance with the provisions of this Title are set forth in Chapter 18.140. Development Regulations - General Provisions. (Ord. 97-84 § 8 (part), 1997)

18I.10.110 Severability.

If any provision of this Title or its application to any person or circumstance is held invalid, the remainder of this regulation or the application of the provision to other persons or circumstances shall not be affected. (Ord. 97-84 § 8 (part), 1997)

Chapter 18I.20

USE AND ACTIVITY REGULATIONS

Sections:

18I.20.010 Permitted Uses.

18I.20.020 Regulated Uses and Activities.

18I.20.030 Current Use Assessment.

18I.20.010 Permitted Uses.

Uses permitted on properties designated as natural resource lands shall be the same as those permitted in the zone classification shown in the Pierce County Zoning Atlas. (Ord. 97-84 § 8 (part), 1997)

18I.20.020 Regulated Uses and Activities.

Unless the requirements of this Title are met, Pierce County shall not grant any approval or permission to alter the condition of any land, water, or vegetation or to construct or alter any structure or improvement regulated through the following: building permit, commercial or residential; binding site plan; franchise right-of-way construction permit; site development permit; right-of-way permit; shoreline permits; short subdivision; use permits; subdivision; utility permits; or any subsequently adopted permit or required approval not expressly exempted by this Chapter. (Ord. 97-84 § 8 (part), 1997)

18I.20.030 Current Use Assessment.

- A. An owner of agricultural land, timberland, or open space desiring current use classification under RCW 84.34 may file for such current use classification as provided for in Chapter 2.114 PCC.
 - B. The Assessor-Treasurer's Office shall consider the requirements of this Title in determining the fair market value of land.
- (Ord. 97-84 § 8 (part), 1997)

Chapter 18I.30

AGRICULTURAL LANDS

Sections:

- 18I.30.010 Purpose.**
- 18I.30.020 Applicability.**
- 18I.30.030 Title Notification.**
- 18I.30.040 Plat Notification.**
- 18I.30.050 Regulated Activities Notification.**

18I.30.010 Purpose.

The purpose of this Chapter is to assure the conservation of agricultural lands and related activities by limiting encroachment of incompatible development thereon. (Ord. 97-84 § 8 (part), 1997)

18I.30.020 Applicability.

- A. **General.** Agricultural Lands are lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products.
- B. **Classification.**
 - 1. Agricultural Lands are those lands meeting all of the following criteria:
 - a. Lands in parcels which are ten acres or larger in size;
 - b. Lands which are on prime or unique soils as identified in:
 - (1) United States Department of Agriculture (USDA), Soil Conservation Service. February 1979, Soil Survey of Pierce County Area, Washington; or
 - (2) USDA, Soil Conservation Service, June 1981, Important Farmlands of Pierce County, Washington;
 - c. Lands which are primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and which have long-term commercial significance for agricultural production; and
 - d. Lands which are not adjacent to lots of record of one acre or less on more than 50 percent of the perimeter of the parcel.
 - 2. Rural lands located outside a designated Urban Growth Area or Comprehensive Urban Growth Area may request a Comprehensive Plan redesignation to Agricultural in accordance with procedures set forth in Title 19C PCC.

(Ord. 97-84 § 8 (part), 1997)

18I.30.030 Title Notification.

The owner of any site within this designation for which an application for a regulated activity is submitted shall record a title notice with the Pierce County Auditor. Such notification shall be in the form as set forth below.

AGRICULTURAL LANDS AREAS TITLE NOTIFICATION

Parcel Number:

Parcel Address:

NOTICE: This parcel lies within an area identified as Agricultural Lands by Pierce County. A variety of commercial agricultural activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; or from spraying, pruning, and harvesting which occasionally generate dust, smoke, noise, and odor. Pierce County has established agriculture as a priority use on productive Agricultural Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary farm operations.

Signature of Owner

Signature of Owner

(NOTARY ACKNOWLEDGMENT)
(Ord. 97-84 § 8 (part), 1997)

18I.30.040 Plat Notification.

The owner of any site within this designation on which a large lot, short subdivision, or formal subdivision is submitted shall record a notice on the face of the plat. Such notification shall be in the form as set forth below.

AGRICULTURAL LANDS PLAT NOTIFICATION

This parcel lies within an area identified as Agricultural Lands by Pierce County. A variety of commercial agricultural activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; or from spraying, pruning, and harvesting which occasionally generate dust, smoke, noise, and odor. Pierce County has established agriculture as a priority use on productive Agricultural Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary farm operations.
(Ord. 97-84 § 8 (part), 1997)

18I.30.050 Regulated Activities Notification.

The Department shall require that all permits issued for regulated activities, as defined in Section 18I.20.020, within this zone classification contain a notice as set forth below.

REGULATED ACTIVITIES NOTIFICATION

This parcel lies within an area identified as Agricultural Lands by Pierce County. A variety of commercial agricultural activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; or from spraying, pruning, and harvesting which occasionally generate dust, smoke, noise, and odor. Pierce County has established agriculture as a priority use on productive Agricultural Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary farm operations. (Ord. 97-84 § 8 (part), 1997)

Chapter 18I.35

RIGHT TO FARM PROTECTIONS

Sections:

18I.35.010 Purpose.

18I.35.020 Definitions.

18I.35.030 Nuisance.

18I.35.040 Notification.

18I.35.050 Complaints.

18I.35.010 Purpose.

The Pierce County Council finds that: (1) commercially viable agricultural land exists within the County, and (2) it is in the public interest to enhance and encourage agricultural operations within the County. The Council also finds that residential and commercial development adjacent to agricultural property and agricultural operations may lead to restrictions on agriculture and agricultural operations to the detriment of the other agricultural uses, and cause diminished economic viability of agricultural industry in the County.

The purpose of this Chapter is to promote public health, safety, and welfare, and to support and encourage continued agricultural operations in the County. This Chapter is not intended to modify or abridge State nuisance laws, but is to be used in the interpretation and enforcement of the provisions of this Code and County regulations.

(Ord. 2002-94s § 1 (part), 2002)

18I.35.020 Definitions.

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

- A. "Farm" means the land, buildings, waters, culturing and growing facilities, and machinery used in the commercial production of farm products. For purposes of this Chapter, agricultural education and research facilities shall be included in this definition.
- B. "Commercially productive farm" means farms raising plants and/or animals for profit with a gross income of greater than \$1,000 per year
- C. "Farm product" means those plants and animals useful to humans and includes, but is not limited to, forages and sod crops, dairy and dairy products, poultry and poultry products, livestock, including breeding, grazing, and recreational equine use, fruits, vegetables, flowers, seeds, grasses, trees, aquaculture and fish products, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur. Farm product does not include kennels as defined in Chapter 5.24 PCC.
- D. "Agricultural Operation" means a condition or activity which occurs on a farm in connection with the commercial production of farm products and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; movement, including, but not limited to, use of current county road ditches, streams, rivers, canals, and drains, and use of water for agricultural activities; ground and aerial application of seed, fertilizers, conditioners, and plant protection products; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds,

drains, waterways, and similar features and maintenance of streambanks and watercourses; and conversion from one agricultural activity to another. It shall also include recycling of organic waste on a farm.

(Ord. 2002-94s § 1 (part), 2002)

18I.35.030 Nuisance.

Agricultural operations conducted on farmland, if consistent with good agricultural practices and established prior to surrounding nonagricultural activities, are presumed to be reasonable and shall not be found to constitute a nuisance unless the activity has a substantial adverse effect on the public health and safety.

If those agricultural operations are undertaken in conformity with all applicable laws and rules, then the operations are presumed to be good agricultural practices not adversely affecting the public health and safety and such activities shall not constitute a nuisance for purposes of this Chapter. Agricultural operations that are in conformity with such laws and rules shall not be restricted as to the hours of the day or day or days of the week during which it may be conducted.

Nothing in this Chapter shall affect or impair any right to sue for damages.

(Ord. 2002-94s § 1 (part), 2002)

18I.35.040 Notification.

A. **Map of Agricultural Operations.** The first step in implementing a notification program for the purpose of public education about the effects of agricultural operations is to identify the properties where such operations are occurring. A map of existing agricultural operations shall be prepared by the Department of Planning and Land Services with the assistance of the Farm Advisory Commission. Such properties shall be identified through various survey methods using criteria developed for that purpose. The resulting map shall be reviewed and adopted by the County Council prior to implementing the notification programs in B. below. The map shall be updated and amended every two years.

B. **Notification.**

1. Every owner of property within 2,500 feet of properties conducting agricultural operations, as identified on the map developed pursuant to 18I.35.040 A., shall be notified of the proximity of the agricultural operations and the nuisance protections afforded by State and local laws. The Department of Planning and Land Services shall provide notification within 90 days after County Council adoption of an ordinance creating or amending the Agricultural Operations Map developed pursuant to 18I.35.040 A.
2. The Department of Planning and Land Services shall provide access to the Agricultural Operations Map through the County's website.
3. The Department shall provide notification of the purpose and availability of the Agricultural Operations Map to real estate offices in the County. This notification shall be provided within 90 days of adoption of the Map and each time the Map is amended. This notice shall advise real estate agents and brokers of the Right to Farm protections provided by this Chapter and request that information about the proximity of agricultural operations be included in a disclosure notice in a buyer's purchase agreement for affected properties.

(Ord. 2002-94s § 1 (part), 2002)

18I.35.050 Complaints.

- A. **Filing.** Complaints about off-site effects and impacts of agricultural operations shall be filed with the appropriate review authority. The Planning and Land Services (PALS) Department enforces the provisions of the Pierce County Development Regulations contained within the Title 18 series. These codes and regulations include, but are not limited to: the Uniform Building Code; Uniform Mechanical Code; Uniform Plumbing Code; Uniform Fire Code; Zoning and Sign Regulations; Energy Code; grading, filling, and clearing; flood damage prevention; road approach standards; and other construction and development-related regulations. The Tacoma-Pierce County Health Department (TPCHD) enforces the adopted provisions regarding any declared nuisance, source of filth or cause or probable cause of injury to health (see PCC Chapter 8.08).
- B. **Monitoring Complaints.** The Planning and Land Services Department and the Tacoma-Pierce County Health Department shall be responsible for maintaining a record of nuisance complaints related to agricultural operations and forwarding a summary of the subject complaints to the Pierce County Farm Advisory Commission (PCFAC) on a semi-annual basis. The PCFAC shall review and consider the issues raised in the complaints and may make recommendations to the Council and Executive on appropriate changes in agricultural policies, programs or regulations to address complaints.

(Ord. 2002-94s § 1 (part), 2002)

Chapter 18I.40

FOREST LANDS

Sections:

- 18I.40.010 Purpose.**
- 18I.40.020 Applicability.**
- 18I.40.030 Title Notification.**
- 18I.40.040 Plat Notification.**
- 18I.40.050 Regulated Activities Notification.**

18I.40.010 Purpose.

The purpose of this Chapter is to conserve productive Forest Lands. (Ord. 97-84 § 8 (part), 1997)

18I.40.020 Applicability.

- A. **General.** Forest Lands are lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber and forest products.
- B. **Classification.** All lands designated as Forest Land as shown in the Pierce County Comprehensive Plan Generalized Land Use Map and Zoning Atlas.
- C. **Regulations.** All development in designated Forest Lands shall be according to requirements and standards set forth in Title 18A, Development Regulations - Zoning. (Ord. 97-84 § 8 (part), 1997)

18I.40.030 Title Notification.

The owner of any site within this classification for which an application for a regulated activity is submitted shall record a title notice with the Pierce County Auditor. Such notification shall be in the form as set forth below.

FOREST LANDS AREA TITLE NOTIFICATION

Parcel Number:

Parcel Address:

NOTICE: This parcel lies within an area of land designated Forest Lands by Pierce County. A variety of commercial forestry activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, including herbicides, pesticides, and fertilizers; or from spraying, pruning, and harvesting which occasionally generate dust, smoke, noise, and odor. Pierce County has established forestry as a priority use on productive Forest Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary forestry operations.

Signature of Owner

(NOTARY ACKNOWLEDGMENT)
(Ord. 97-84 § 8 (part), 1997)

18I.40.040 Plat Notification.

The owner of any site within this classification on which a large lot, short subdivision, or formal subdivision is submitted shall record a notice on the face of the plat. Such notification shall be in a form as set forth below.

FOREST LANDS AREA PLAT NOTIFICATION

This property lies within an area of land designated Forest Lands by Pierce County. A variety of commercial forestry activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, including spraying, pruning, and harvesting which occasionally generate dust, smoke, noise, and odor. Pierce County has established forestry as a priority use on productive Forest Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary forestry operations.

(Ord. 97-84 § 8 (part), 1997)

18I.40.050 Regulated Activities Notification.

The Department shall require that all permits issued for regulated activities, as defined in Section 18I.20.020, within this classification contain a notice as set forth below.

REGULATED ACTIVITIES NOTIFICATION

This property lies within an area of land designated Forest Lands by Pierce County. A variety of commercial forestry activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, including spraying, pruning, and harvesting, which occasionally generate dust, smoke, noise, and odor. Pierce County has established forestry as a priority use on productive Forest Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary forestry operations.

(Ord. 97-84 § 8 (part), 1997)

Chapter 18I.50

MINERAL RESOURCE LANDS

Sections:

- 18I.50.010 Purpose.**
- 18I.50.020 Applicability.**
- 18I.50.030 Title Notification.**
- 18I.50.040 Plat Notification.**
- 18I.50.050 Regulated Activities Notification.**

18I.50.010 Purpose.

The purpose of this Chapter is to promote the conservation of Mineral Resource Lands through inclusion of known deposits of minerals and materials; to assure that undeveloped mineral and material resources will not be forever lost by prior development of the land for other purposes; and to allow for the necessary processing to convert such minerals and materials to marketable products. (Ord. 97-84 § 8 (part), 1997)

18I.50.020 Applicability.

A. **General.** Mineral Resource Lands are lands that have long-term significance for the extraction of minerals.

B. **Classification.**

1. Any area under this Chapter presently operating under a valid Washington State Department of Natural Resources (DNR) surface mining permit.
2. Any other area shall be classified Mineral Resource Lands when:
 - a. A surface mining permit is granted by the DNR; and
 - b. An Unclassified Use Permit was granted by Pierce County pursuant to 18.10.630 of the Pierce County Zoning Code or a conditional use permit is granted pursuant to Title 18A, Development Regulations - Zoning, provided all of the following criteria are met:
 - (1) The site does not contain prime agricultural soils;
 - (2) The site is not a registered or designated historic or archeological site; and
 - (3) The site is not within a shoreline of the State or state-wide significance designated Natural.

(Ord. 97-84 § 8 (part), 1997)

18I.50.030 Title Notification.

The owner of any site within this designation for which an application for a regulated activity is submitted shall record a title notice with the Pierce County Auditor. Such notification shall be in the form as set forth below.

MINERAL RESOURCE LANDS AREA TITLE NOTIFICATION

Parcel Number:

NOTICE: This parcel lies within an area of land designated Mineral Resource Lands by Pierce County. A variety of commercial mineral extraction activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of heavy equipment, chemicals, and spraying which may generate dust, smoke, and noise associated with the extraction of mineral resources. Pierce County has established mineral resource extraction as a priority use on productive Mineral Resource Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary mineral resource extraction operations. An application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

Signature of Owner

(NOTARY ACKNOWLEDGMENT)

(Ord. 2004-87s § 7 (part), 2004; Ord. 97-84 § 8 (part), 1997)

18I.50.040 Plat Notification.

The owner of any site within this overlay district on which a large lot, short subdivision, or formal subdivision is submitted shall record a notice on the face of the plat. Such notification shall be in the form as set forth below.

MINERAL RESOURCE LANDS AREA PLAT NOTIFICATION

This property lies within an area of land designated Mineral Resource Lands by Pierce County. A variety of mineral resource extraction activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of heavy equipment, chemicals, and spraying which may generate dust, smoke, and noise associated with the extraction of mineral resources. Pierce County has established mineral resource extraction as a priority use on productive Mineral Resource Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary mineral resource extraction lands. An application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.
(Ord. 2004-87s § 7 (part), 2004; Ord. 97-84 § 8 (part), 1997)

18I.50.050 Regulated Activities Notification.

The Department shall require that all permits issued for regulated activities, as defined in Section 18I.20.020, within this designation contain a notice as set forth below:

REGULATED ACTIVITIES NOTIFICATION

This property lies within an area of land designated Mineral Resource Lands by Pierce County. A variety of mineral resource extraction activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals and extraction of minerals which occasionally generates dust, smoke, noise, and odor. Pierce County has established mineral resource extraction as a priority use on productive Mineral Resource Lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary mineral resource extraction lands. An application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.
(Ord. 2004-87s § 7 (part), 2004; Ord. 97-84 § 8 (part), 1997)

Chapter 18I.60

PROPERTY ADJACENT TO DESIGNATED RESOURCE LANDS

Sections:

- 18I.60.010 Purpose.**
- 18I.60.020 Applicability.**
- 18I.60.030 Title Notification.**
- 18I.60.040 Plat Notification.**
- 18I.60.050 Regulated Activities Notification.**
- 18I.60.060 Additional Notice for Property Adjacent to Mineral Resource Lands.**

18I.60.010 Purpose.

The purpose of this Chapter is to conserve resource lands by limiting the encroachment of incompatible development from designated resource lands. (Ord. 97-84 § 8 (part), 1997)

18I.60.020 Applicability.

- A. The provisions of this Chapter apply to development proposed on properties within 300 feet of designated resource lands.
- B. All plats, short plats, development permits, and building permits issued for development activities within 300 feet of lands designated as Agricultural, Forest, or Mineral Resource Lands shall contain a notice that the property is within 300 feet of Agricultural, Forest, or Mineral Resource Lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

(Ord. 97-84 § 8 (part), 1997)

18I.60.030 Title Notification.

The owner of any site within 500 feet of lands designated Resource Lands for which an application for a regulated activity is submitted shall record a title notice with the Pierce County Auditor. Such notification shall be in the form as set forth below.

PROPERTY ADJACENT TO RESOURCE LANDS AREA TITLE NOTIFICATION

Parcel Number:

NOTICE: This parcel lies within 500 feet of land designated Resource Lands by Pierce County. A variety of commercial and industrial activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying or extraction which occasionally generates dust, smoke, noise, and odor. Pierce County has established resource uses as priority uses on productive resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary commercial resource lands operations.

Signature of Owner

(Ord. 2004-87s § 7 (part), 2004; Ord. 97-84 § 8 (part), 1997)

18I.60.040 Plat Notification.

The owner of any site within 500 feet of land designated as Resource Lands on which a large lot, short subdivision, or formal subdivision is submitted shall record a notice on the face of the plat. Such notification shall be in the form as set forth below.

PROPERTY ADJACENT TO RESOURCE LANDS AREA PLAT NOTIFICATION

This property lies within 500 feet of land designated Resource Lands by Pierce County. A variety of commercial and industrial activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying or extraction which occasionally generates dust, smoke, noise, and odor. Pierce County has established resource uses as priority uses on productive resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary commercial resource lands operations.

(Ord. 2004-87s § 7 (part), 2004; Ord. 97-84 § 8 (part), 1997)

18I.60.050 Regulated Activities Notification.

The Department shall require that permits issued for regulated activities, as defined in Section 18I.20.020, within 500 feet of lands designated as Resource Lands contain a notice as set forth below.

REGULATED ACTIVITIES NOTIFICATION

This property lies within 500 feet of land designated Resource Lands by Pierce County. A variety of commercial and industrial activities occurs in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying or extraction which occasionally generates dust, smoke, noise, and odor. Pierce County has established resource uses as priority uses on productive resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary commercial resource lands operations.

(Ord. 97-84 § 8 (part), 1997)

18I.60.060 Additional Notice for Property Adjacent to Mineral Resource Lands.

The notice required in 18I.60.030, 18I.60.040, and 18I.60.050 for lands adjacent to Mineral Resource Lands shall also include the following:

These designated resource lands include mineral resource lands for which an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(Ord. 2004-87s § 7 (part), 2004)