



PLANNING
AND
LAND
SERVICES
DEPARTMENT

LAND USE PERMIT PROCESS



2401 South 35th Street
Tacoma, WA 98409
(253) 798-4300

www.piercecountywa.org/pals

USE PERMITS

A “Use Permit” means a document granted by official action of the County which authorizes the development or use of land pursuant to the final development plan approval of a Special Use Permit or Administrative Use Permit. Use Permits include, but are not limited to: Administrative Use Permits, Conditional Use Permits, Variances, Planned Development Districts, Nonconforming Use Permits, and Administrative Nonconforming Use Permits.

Administrative Use Permit. When a use requires the issuance of an Administrative Use Permit, an administrative review process, which includes public notice and comment, is required to ensure that an activity, if established, will be in full compliance with applicable regulations. And, that such uses are compatible with the Comprehensive Plan, adjacent uses, planned uses, and the character of the vicinity. A public hearing is not required for an Administrative Use Permit.

Conditional Use Permit. Conditional Uses are deemed unique due to factors such as size, technological processes, equipment, or location with respect to surroundings, streets, existing improvements, or demand upon public facilities. These uses require a special degree of control to assure compatibility with the Comprehensive Plan, adjacent land uses, and the character of the vicinity. Conditional Uses will be subject to review by the Examiner and the issuance of a Conditional Use Permit. This process allows the Examiner to determine that the location of the use will not be incompatible with uses permitted in the surrounding areas; and make further stipulations and conditions that may reasonably assure that the basic intent of the Development Regulations is satisfied.

Variance. The Examiner shall have the authority to grant a Variance from the provisions of the

Development Regulations, when, in the opinion of the Examiner, it has been shown that such things as special circumstances are applicable to the subject property; that such Variance is necessary for the preservation and enjoyment of substantial property right, and that the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such vicinity and zone in which the subject property is located. No variance shall be granted to permit the establishment of a use otherwise prohibited in the zone in which the property is located or to permit the establishment of a density in excess of that allowed by Chapter 18A.35.

Planned Development District. A Planned Development District (PDD) is intended to provide for a flexible zoning concept; giving the Examiner a chance to mold a district so that it creates more desirable environments, and results in as good or better use of land than that produced through the limiting standards provided in the regular zone classifications. The uses within the PDD depend on the uses in the underlying zone. The residential densities within the PDD may vary depending upon how the land is developed with general aesthetics, natural areas, and open space being an incentive.

Nonconforming Use Permit. Provisions are provided in the Development Regulations for expansion of nonconforming structures and/or uses. Nonconformities require a special degree of control to ensure compliance with applicable regulations and compatibility with the Comprehensive Plan, adjacent land uses, and the character of the surrounding areas. Therefore, alterations, enlargements, expansion, or replacement may require approval of a Nonconforming Use Permit by the Examiner or approval of an Administrative Nonconforming Use Permit by the Director.

PRELIMINARY REVIEW PROCESS

Preliminary reviews are not mandatory; however, they are highly recommended to help applicants gain a better understanding of the permit process and to assist the applicant with the filing of a complete application.

Pre-Filing Meetings are conducted with the area team for permit applications that involve a public hearing before the hearing examiner or an administrative use permit. Staff will work with an applicant to determine the necessary items to file a complete application. Depending on the complexity of the project, the applicant may be referred to a predevelopment conference.

Pre-Development Minor conferences are voluntary meetings designed to offer owners, developers, and design professionals an opportunity to obtain information about development regulations that will apply to a proposed construction project. Once the required information is submitted, a conference application will be processed and the information will be routed to the Permit Coordinator Supervisor for scheduling. County staff will come in to the conference as needed to answer questions and explain their review processes. The proponent is encouraged to take notes as information will be given orally with no written comments provided. Staff will provide all appropriate submittal standards and forms relevant for the proposed project.

Pre-Development Major conferences are voluntary meetings designed to define those items of department/division review which, if not addressed at the conceptual stage, are of such significance that continuation of the project might result in substantial technical difficulties during permit processing. Once the required information is submitted, a conference application will be processed and the information will be routed to

the Permit Coordinator Supervisor for scheduling. Distribution to all departments and/or divisions is accomplished under a memo of transmittal that defines when responses are due back and the date of the conference. A written confirmation of the meeting date and time is mailed to the proponent as well. A minimum of three weeks are required for staff to review the submitted information. The conferences are held on Thursday afternoons at the Development Center.

For more information about our Pre-Development Conference services please contact Robert Witzl, Permit Coordinator Supervisor, at (253) 798-3297.

COMPLETE APPLICATIONS

Submittal Standard Checklists are available from the Development Center counter staff, and will define all the information needed to file a complete application for a permit. If the application is complete the application will be accepted for filing and the 120-day County review period will begin. If the application is incomplete, the application will not be accepted.

APPLICATION REVIEW PROCESS

Once a complete land use application has been submitted, the application will be assigned to a Case Planner. The Case Planner has 14 days to complete and distribute a Notice of Application. The County has 120 days to review the application and issue a notice of final decision. Initial reviews by the County will take place within 30 days of accepting a complete application. In some isolated instances the initial review period may be extended to 60 days. Requests for additional information will stop the 120-day County review period. The applicant will have 180 days, with the potential of one 180-day extension, upon submittal of a written request, to provide the requested information. If the information is not provided within the 180-day period; the application will be deemed null and

void. The 120-day County review period will restart once the applicant has satisfied all of the departments' requests for additional information. The Case Planner is responsible for writing a staff report. The staff report includes, but is not limited to, information pertinent to the proposed use, development regulations for the zone, a summary of comments received as a result of public notice and/or Advisory Commission Meetings, a recommendation for approval or denial, and proposed conditions of approval.

WHAT IS A PUBLIC HEARING?

A public hearing is a special meeting which allows the public to comment on proposed plans and projects before officials make a final decision. As implied by the title, public hearings are open to the public. All members of the public wishing to testify regarding an action may do so. The official(s) conducting the hearing may establish rules regarding how the hearing is conducted, including time limitations on public testimony. Members of the public wishing to testify at a public hearing should prepare their testimony in advance of the hearing in order to ensure their testimony is clearly understandable by the official(s) conducting the hearing.

COMMUNITY PLAN AREAS

Land use applications within an area with an adopted community plan will require review before the Advisory Commission that represents that specific community plan. Community Plans express the voice of local citizens in how the Comprehensive Plan and its development regulations will be carried out in specific communities. Community plans indicate specific land use designations, appropriate densities, and design standards. The Advisory Commission submits a recommendation to the Examiner for consideration.