



CITY OF PUYALLUP

Development and Permitting Services

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Code Interpretation Determination

Date: September 28, 2021
Subject: P-08-0016 Cascade Christian CUP
Interpretations File No.: 2021-002
Date Issued: September 29, 2021
Effective Date: October 21, 2021 (unless appealed in a timely manner)

1. Permit History:

The 2008 Conditional Use Permit (CUP) for Cascade Christian Schools (P-08-0016) was approved by the Hearing Examiner June 4, 2009. The CUP was to "...allow an addition to the existing junior/senior high school, including a new 54,510 sq ft junior high building, new signage including LED signs on the proposed junior high and existing senior high buildings, improvements to existing athletic fields, development of a 4,800 s.f. new maintenance building, and a 3,104 s.f. expansion of existing administrative building. The request also included construction of new athletic fields, a parking lot, field lighting and associated signage."

The CUP approval was valid for six years, through June 4, 2015; the applicant requested and was granted a one-year administrative extension through June 4, 2016.

A building permit for a shell building for the gym (associated with the new junior high building) was submitted in April 2016. Subsequent permits have been submitted for the tenant improvement of that gym building as well as a permit to add a lobby and associated restrooms.

The applicant has now submitted a building permit (B-21-0727) to construct a 7,000 square foot addition to the gym that includes classroom space. This has raised the question of whether the 2008 CUP is still valid and whether this addition can be submitted under the previous determination of allowing new building permits consistent with the original CUP so long as there is still an active building permit.

2. Relevant Code Sections:

A. PMC 20.80.025 – Conditional Use Permit Expiration

Any conditional use permit granted by the hearing examiner shall become null and void if not exercised within the time specified in such permit up to a maximum of six years following approval or, if no time is specified, within one year of the date of approval of such permit. A conditional use permit shall be deemed exercised and remain in full force and effect when a complete building permit application has been submitted, or a complete civil engineering permit is submitted if no building permit is required for the approved project. If such permit is abandoned or is discontinued for a continuous period of one year, it may not thereafter be reestablished unless authorized in accordance with the procedure prescribed herein for the establishment of a conditionally permitted use.

3. Other Relevant Information:

A. Prior Director Decision:

Previously, the Development Services Director stated in an email, not through a formal code interpretation, that so long as a valid building permit, which is consistent with the original CUP, is still active (whether under review or issued/under construction) the CUP is still active and can be gradually built out. However, as noted above, only the gym portion of the junior high building has been permitted and constructed; the subsequent TI and lobby permit were directly related to the function and use of that gym.

4. Analysis:

The 2008 CUP, approved in June 2009 for 6 years plus a 1-year extension, was not intended to be kept alive indefinitely through continuous sequencing of tenant improvement and building permits that implement small portions of the single building approved in the CUP. It is not in the City or the neighborhood's best interest to continue allowing building permits under a now 12-year-old approval.

The applicant previously submitted a building permit (B-16-0281) for a shell building for a gym (associated with the new junior high building) in April 2016. Subsequent permits were then submitted for the associated tenant improvement of that gym building as well as a permit to add a lobby and associated restrooms. These actions were within the scope and timeframe of the approved CUP and conclude the CUP issued under file no. P-08-0016. Except as provided herein, a new CUP will be required for additional development on the site.

However, the City recognizes the need to provide notice to the applicant regarding this determination of CUP completion. Therefore, the City will accept one final building permit application. The recently submitted building permit for a classroom and

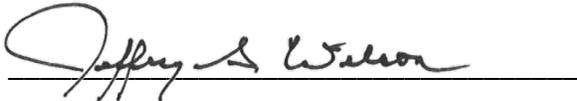
administrative room addition to the existing gym (B-21-0727) will fulfill the intent of this additional building permit; therefore, the CUP will be deemed complete with submittal of this permit and any implementing tenant improvement permits.

THEREFORE, THE FOLLOWING INTERPRETATION IS HEREBY ISSUED:

Cascade Christian Schools may only submit one additional building permit to construct additional square footage to the existing “junior high/gym” building, subject to the following:

- a. The building permit shall be applied for by March 31, 2022.
- b. The proposed building permit application must be consistent with the approved conditional use permit, P-08-0016; and,
- c. The building permit may be for a “shell” building with subsequent tenant improvement permits to build-out the interior being allowed; and,
- d. Any new use or additional square footage proposed for this site will require the submittal and approval of a new CUP application; and,
- e. The conditional use permit shall be considered executed and shall be terminated by March 31, 2022.

Interpretation Approved:



Jeffrey S. Wilson, AICP
Director
Development & Permitting Services

September 28, 2021

Date

Appeal Procedures:

Pursuant to Puyallup Municipal Code (PMC) 20.87 Interpretations, the director, or designee, may issue a written interpretation for any section within Title 20 Zoning.

Should anyone wish to appeal this interpretation, a written appeal, accompanied by the required appeal fee (see City of Puyallup fee schedule) must be submitted within 15 business days after the date of the final decision (days of the date of issuance/posting of this interpretation).

The deadline for filing an appeal of this interpretation is: October 20, 2021

A written appeal must contain the following:

1. The appellant's name, address and phone number;
2. A statement describing the appellant's standing to appeal;
3. Identification of the application that is the subject of the appeal;
4. The appellant's statement of grounds for appeal and the facts upon which the appeal is based with specific references to the facts in the record;
5. The specific relief sought;
6. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

Notice: 1) Published on the City of Puyallup Development & Permitting Services
 webpage

 2) Posted at Puyallup City Hall in the Department of Development and Permitting
 Services customer service counter