

Chapter 18.210
GENERAL ADMINISTRATIVE PROVISIONS

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18.210.010 Severability

The provisions of this title are severable. If any section, sentence, clause or phrase of this title is adjudged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of this title.

18.210.020 Compliance and Scope

- A. Compliance with the provisions in this title. Land and structures may be used or developed by construction, reconstruction, alteration, occupancy, use or otherwise, only as this title or any amendment thereto permits. No plat shall be recorded or no building permit shall be issued without compliance with the provisions of this title.
- B. Obligation by successor. The requirements of this title apply to the person undertaking the development or the use of the development and to the person's successor in interest.
- C. Most restrictive regulations apply. Where this title imposes greater restrictions than those imposed or required by other rules or regulations, the most restrictive or that imposing the higher standard shall govern.
- D. Variances and adjustments. No lot area, yard, other open space or off-street parking or loading area existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title except as provided by Chapters 18.350 (Planned Developments) and 18.370 (Variances and Adjustments).
- E. Transfer of development standards prohibited. No lot area, yard or other open space or off-street parking or loading area which is required by this title for one use shall be a required lot area, yard or other open space of off-street parking or loading area for another use, except as provided specifically by this title to the contrary.

18.210.030 Consistency with Plan and Laws

- A. Consistency with comprehensive plan and other local and state laws. Each development and use application and other procedure initiated under this title shall be consistent with the adopted comprehensive plan of the City of Tigard as implemented by this title and with applicable state laws and regulations. All provisions of this title shall be construed in conformity with the adopted comprehensive plan. (Ord. 15-07 §3)

18.210.040 Use of a Development

A development shall be used only for a lawful use. A lawful use of a development is one that is not prohibited by law and for which the development is designed, arranged and intended or which is a continuing nonconforming use.

18.210.050 Pre-Existing Approvals

- A. Legality of pre-existing approvals. Planned developments, including the approved density, subdivisions, projects requiring site development review approval or other development applications for which approvals were granted prior to the effective date of the code codified in this title may occur pursuant to such approvals.
- B. Subsequent development applications. All development proposals received by the director after the adoption of this title shall be subject to review for conformance with the standards under this title or as otherwise provided by state law.

18.210.060 Certificate of Occupancy

- A. Certificate of occupancy required. To ensure completion of the work in the manner and at the time approved, the structure or use shall not be used or occupied for the purposes set forth in the building permit application until the city has issued a certificate of occupancy following completion of the work in substantial conformance to the permit.
- B. Prior to final completion. Prior to the final completion of all work, a certificate of occupancy may be issued for a portion of the structure conditioned upon further work being completed by a date certain.

18.210.070 Official Action

- A. Official Action. All officials, departments and employees of the city vested with authority to issue permits or grant approvals shall adhere to and require conformance with this title, and shall issue no permit or grant approval for any development or use which violates or fails to comply with conditions or standards imposed to carry out this title.
- B. Severability. Any permit or approval issued or granted in conflict with the provisions of this chapter shall be void.
- C. Notice. The failure of any person to receive mailed notice or failure to post a notice shall not invalidate any actions pursuant to this chapter. ■