



FACT SHEET – Innocent Purchaser

P1.6F

NEED FOR PERMIT: Sometimes a person may buy or receive a tract of land that was not created in conformance with adopted regulations and codes. By law, the Department of Building and Planning cannot issue building, septic, or any other development permits for an illegally divided property. A person may be granted “innocent purchaser relief” to continue with development per RCW 58.17.210, CCC 18.34.170C.

COWLITZ COUNTY CODE / ORDINANCE REVIEW CRITERIA:

- CCC 18.10 – Land Use Ordinance
- CCC 18.34 – Short Subdivision
- CCC 19.15 Critical Areas Ordinance
- Comprehensive Plan
- Other codes/ordinances applicable to development proposed.

PRE-APPLICATION REVIEW:

- Optional.
- Meetings held 4th Tuesday of each month.
- See Pre-Application Submittal Checklist Requirements and timelines.

DEPARTMENT PROCESSING TIME:

- Preliminary Review once application is complete 60 -120 days.

APPLICATION SUBMITTAL – PRELIMINARY APPLICATION PROCESSING:

- Application determined complete.
- Staff writes staff report and schedules an open record public meeting date in front of the Board of County Commissioners and notifies the applicant, adjacent property owners, and publishes and posts legal notices.
- The Board of County Commissioners holds the public meeting and hears from staff, the applicant and takes public testimony.
- The Board may approve or deny the innocent purchaser request.

DURATION OF SPECIAL USE: Approved innocent purchasers are permanent and are enacted immediately.

APPEAL: If the Board denies innocent purchaser relief, there are no administrative appeal processes in place. However, state law provides other legal remedies for the applicant; the sale may be cancelled, and the applicant may recover damages from the seller or agent according to RCW 58.17.210. Your legal advisor may know of other civil remedies.

If you have further questions, please call (360) 577-3052.