

Town Hall Meeting Room
3715 Bridgeport Way West

- 6:30 pm 1. CALL REGULAR MEETING TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE – Councilmember Worthington
- 4. APPROVAL OF MINUTES – January 3, 2017
- 5. APPROVAL OF AGENDA
- 6:35 pm 6. PRESENTATIONS
 - 16th Combat Aviation Brigade Report – Col. William A. Ryan, III, Commander
 - City Manager’s Year-End Report
- 7:00 pm 7. PUBLIC COMMENTS – (At this time, citizens have three minutes to address the Council on any matter not scheduled for Public Hearing or Council Consideration. State law prohibits the use of this forum to promote or oppose any candidate for public office or ballot measure. Public comments are limited to three minutes. Please provide your name and address for the record.)
- 7:05 pm 8A- CONSENT AGENDA
8C. Motion: Approve or Amend the Consent Agenda as Proposed

The Consent Agenda consists of items considered routine or have been previously studied and discussed by Council and for which staff recommendation has been prepared. A Councilmember may request that an item be removed for the Consent Agenda so that the Council may consider the item separately. Items on the Consent Agenda are voted upon as one block and approved with one vote.

A. Receive and File: Payroll and Claims.

B. Approve the final plat of “Cascade Point,” a 16-lot single family subdivision containing 16 proposed homes located at the 5800 block of 67th Avenue West, and forward to the Mayor for signature.

C. Authorize the City Manager to approve payment of \$48,128.86 for the Eden Systems/Tyler Technologies invoice for financial systems software maintenance and support covering January 1, 2017 through December 31, 2017.
- 7:10 pm 9. COUNCIL COMMENTS/REPORTS

RECESS TO STUDY SESSION – (At this time, Council will have the opportunity to study and discuss business issues with staff prior to its consideration. Citizen comment is not taken at this time; however, citizens will have the opportunity to comment on the following item(s) at future Council meetings.)
- 7:15 pm 10. PLANNING COMMISSION 2017 WORK PLAN
(FIRST STUDY FOR ADOPTION OF A RESOLUTION)
- 7:30 pm 11. FLOOD REGULATION AMENDMENTS
(FIRST STUDY FOR PASSAGE OF AN ORDINANCE)
- 8:00 pm 12. PIANO DONATION (FIRST STUDY FOR ADOPTION OF A RESOLUTION)
- 8:30 pm 13. CITY COMMISSIONS (THIRD STUDY FOR ADOPTION OF A RESOLUTION)
- 9:00 pm 14. ADJOURNMENT

*PRELIMINARY CITY COUNCIL AGENDA

January 21, 2017
Special Council Meeting

February 6, 2017
Regular Council Meeting

February 20, 2017
HOLIDAY – PRESIDENTS' DAY

February 21, 2017
Regular Council Meeting

Preliminary City Council Agenda subject to change without notice*
Complete Agendas will be available 24 hours prior to scheduled meeting.
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American Disability Act (ADA) Accommodations Provided Upon Advance Request
Call the City Clerk at 253-566-5656

APPROVAL OF MINUTES

**CITY OF UNIVERSITY PLACE
DRAFT MINUTES
Regular Meeting of the City Council
Tuesday, January 3, 2017
City Hall, Windmill Village**

1. CALL REGULAR MEETING TO ORDER

Mayor Figueroa called the Regular Meeting to order at 6:30 p.m.

2. ROLL CALL

Roll call was taken by the City Clerk as follows:

Councilmember Belleci	Present
Councilmember Grassi	Present
Councilmember McCluskey	Present
Councilmember Nye	Present
Councilmember Worthington	Present
Mayor Pro Tem Keel	Present
Mayor Figueroa	Present

Staff Present: City Manager Sugg, City Attorney Victor, Public Works, Parks & Facilities Director Cooper, Police Chief Blair, Executive Director/ACM Craig, and City Clerk Genetia.

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Keel led the Pledge of Allegiance.

4. APPROVAL OF MINUTES

MOTION: By Councilmember Belleci, seconded by Councilmember McCluskey, to approve the minutes of December 5, 2016 as submitted.

The motion carried.

5. APPROVAL OF AGENDA

Mayor Figueroa requested that the City Manager's report be removed from the agenda.

MOTION: By Councilmember Belleci, seconded by Councilmember McCluskey, to approve the agenda as amended.

The motion carried.

6. PRESENTATIONS

City Manager's Year-End Report – Removed.

Mayor's Year-End Report - Mayor Figueroa presented a year-end review of Council's undertakings and legislative accomplishments. He also recognized his fellow councilmembers for their hard work and dedication in bringing these achievements to fruition.

Mayor Pro Tem Keel gave his perspective on the positive change that provided for an efficient facilitation of Council business under the Mayor's leadership.

Councilmembers reflected on the many achievements that transpired in 2016 and expressed their gratitude to staff, volunteers, and the community for their involvement and support.

7. PUBLIC COMMENTS – None.

8. CONSENT AGENDA

MOTION: By Councilmember Grassi, seconded by Councilmember Belleci, to approve the Consent Agenda as follows:

A. Receive and File: Payroll for the period ending 11/30/16, dated 12/05/16, in the total amount of Two Hundred Eighty Thousand Fifty-Six and 06/100 Dollars (\$280,056.06); Payroll for the period ending 12/15/16, dated 12/20/16, in the total amount of Two Hundred Sixteen Thousand Five Hundred Fifty-Seven and 76/100 Dollars (\$216,557.76); Claims dated 12/15/16, check nos. 51979078 through 51979150, wire transfer no. 194734387 in the total amount of Four Hundred Forty-Seven Thousand Three Hundred Thirty-Six and 40/100 Dollars (\$447,336.40); and Claims dated 12/29/16, check nos. 51979155 through 51979218, wire transfer nos. 123016 and 269619, in the total amount of Seven Hundred Eighty-Six Thousand Five Hundred Seventy-One and 39/100 Dollars (\$786,571.39).

The motion carried.

9. COUNCIL COMMENTS/REPORTS

Councilmember Belleci reported that she and Mayor Figueroa attended the 16th Combat Aviation Brigade's holiday Hail and Farewell ceremony at JBLM. She also reported on the successful Regional Growth Subarea Planning workshop hosted by the City on December 13 and 14; UP for Art's donor reception event; and the Volunteer Opportunities Fair at the atrium on January 19, 2017.

Mayor Pro Tem Keel updated Council on Pierce Transit's strategic plans for the transit system to develop service improvements and efficiencies.

Councilmember McCluskey commented on her tour of the University of Washington-Tacoma and the great impact it will make in the South Sound region. In addition, she announced the upcoming Seahawks Spirit contest.

Mayor Figueroa advised Council that Col. Ryan, Commander of the 16th Combat Aviation Brigade (CAB) will be addressing the Council on military deployment activities.

The City Council concluded its business meeting at 7:12 p.m.

STUDY SESSION

The City Council recessed to study session at 7:18 p.m. after a five-minute break.

10. CITY COMMISSIONS

City Attorney Victor provided a recap of the December 5, 2016 study session. Public Works, Parks & Facilities Director Cooper provided information on the current function of the Parks Commission.

The City Council discussed general objectives for the City Council legislative policy advisory commissions, including: that standing or ad-hoc legislative policy advisory commissions to be able to provide citizen feedback to the City Council on legislative policy aspects of planning and other City issues; that all work of standing and ad-hoc legislative policy advisory commissions should be assigned by, or approved by, at least a majority of the City Council by resolution before City resources (administrative staff work or public funds) are utilized; that the assigning or approving of resolutions or legislative advisory commission work should provide commissions clear tasks and direction, and establish appropriate processes and procedures for the work; that all standing and activated ad-hoc legislative policy advisory commissions should provide periodic reports to the City Council on progress in completing their Council-approved work and any relevant

community feedback related to that work; and that standing or ad-hoc legislative advisory commissions do not perform or duplicate the work of professional City staff or consultants, and are not volunteer labor. They are advisors to the City Council on legislative policy issues.

At 9:00 p.m. and 9:10 p.m., motions were made and were carried to extend the meeting for ten and five minutes respectively.

After discussion, Council consented to vote on one of the following potential legislative advisory commission structures at the next study session:

1. Retain all four (4) standing legislative policy advisory commissions (Planning, Public Safety, Economic Development, and Parks) largely in their current form, within a new ordinance.
2. Retain the standing Planning Commission and establish a new seven (7) member Community Legislative Policy Advisory Committee which replaces all existing Commissions within a new ordinance:
 - (a) Members would be appointed, but would not meet unless tasked with work by City Council resolution.
 - (b) Committee work encompasses public safety, economic development, parks and any other legislative topic on which the Council desires the Committee's advice.
3. Retain the standing Planning Commission and appoint ad-hoc legislative policy advisory committees for particular topics as deemed necessary or desirable by the Council from time to time.
4. Establish two standing Planning Commissions and retain standing Public Safety, Economic Development, and Parks Commissions, all to be comprised of five (5) members within a new ordinance.
5. Retain the standing Planning Commission and transition the existing Public Safety, Economic Development, and Parks legislative advisory commissions from standing committees to on-call committees that may be activated as needed by City Council resolution.

11. ADJOURNMENT

The meeting adjourned at 9:14 p.m. No other action was taken.

Submitted by,

Emy Genetia
City Clerk

APPROVAL OF CONSENT AGENDA

Control No.: 57	Agenda of: 01/17/17	PREPAY
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Claim of: Payroll for Pay Period Ending 12/31/2016

Check #	Date	Amount	Check #	Date	Amount
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01/05/17 115,877.43 DIRECT DEPOSIT

EMPLOYEE NET 115,877.43

318721	01/05/17	277.56	IUOE LOCAL 612
318722	01/05/17	4,798.51	IUOE LOCALS 302/612 TRUST FUND
318723	01/05/17	173.30	MALAIER, TRUSTEE, MICHAEL G.
318724	01/05/17	247.97	OHIO CHILD SUPPORT PMT CENTRAL

WIRE	01/05/17	65,962.85	AWC EMPLOYEE BENEFIT TRUST
WIRE	01/05/17	21,740.49	BANK OF AMERICA
WIRE	01/05/17	18,824.70	- 106006, VANTAGEPOINT TRANSF
WIRE	01/05/17	6,971.80	- 304197, VANTAGEPOINT TRANSF
WIRE	01/05/17	4,273.23	- 800263, VANTAGEPOINT TRANSF
WIRE	01/05/17	28,332.88	WA STATE DEPT OF RETIREMENT SY
WIRE	01/05/17	2,173.12	UNUM LIFE INSURANCE COMPANY
WIRE	01/05/17	742.77	UNUM LIFE INSURANCE COMPANY
WIRE	01/05/17	944.50	PACIFIC SOURCE ADMINISTRATORS
WIRE	01/05/17	6.25	PACIFIC SOURCE ADMINISTRATORS
WIRE	01/05/17	2,788.11	- 106006 LOAN, VANTAGEPOINT
WIRE	01/05/17	94.20	AFLAC INSURANCE
WIRE	01/05/17	890.30	WA ST DEPT OF RETIREMENT SYS
WIRE	01/05/17	519.91	- 304197 LOAN, VANTAGEPOINT TR
WIRE	01/05/17	250.00	NATIONWIDE RETIREMENT SOLUTION

BENEFIT/DEDUCTION AMOUNT 160,012.45

TOTAL AMOUNT 275,889.88

Preparer Certification:

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the above-named governmental unit, and that I am authorized to authenticate and certify to said claim.

Signed: (Signature on file.)
Steve Sugg, City Manager

Date

FINAL CHECK LISTING
CITY OF UNIVERSITY PLACE

Check Date: 01/04/2017

Check Range: 51979219 - 51979228

Claims Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of University Place, and that I am authorized to authenticate and certify to said claim.

I also certify that the following list of checks were issued to replace previously issued checks that have not been presented to the bank for payment. The original check was voided and a replacement check issued.

Vendor Name

Replacement Check #

Original Check #

Auditing Officer: _____ (Signature on file.)

Date: _____

Bank : bofa BANK OF AMERICA

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
51979219	1/4/2017	002718	AMERICAN PUBLIC WORKS ASSN127202	12/14/2016	2017 DUES/GARY COOPER	215.00	
	Voucher:	41629	155901	12/14/2016	2017 DUES/JACK ECKLUND	215.00	
			146977	12/14/2016	2017 DUES/NURI AVCULAR	215.00	645.00
51979220	1/4/2017	001007	ASSN OF WASHINGTON CITIES 47782	12/14/2016	2017/SAFETY ALLIANCE PROGR	1,887.80	
	Voucher:	41630	47658	12/29/2016	2017/DRUG & ALCOHOL CONSOI	591.00	2,478.80
51979221	1/4/2017	001226	INSTITUTE OF TRANS. ENGINEEF17DUES/1014928	10/25/2016	2017 DUES/JOHN ECKLUND/#10	299.28	299.28
	Voucher:	41631					
51979222	1/4/2017	001283	PC CLERKS/FIN OFFICERS ASSN2017DUES	12/12/2016	2017DUES/E.GENETIA & D.NICHK	35.00	35.00
	Voucher:	41632					
51979223	1/4/2017	021750	SHRM 01109398	11/28/2016	2017/ MEMBERSHIP/PETORAK/0	190.00	190.00
	Voucher:	41633					
51979224	1/4/2017	001139	TACOMA-PIERCE CO CHAMBER 39708	1/3/2017	2017 HORIZONS ECONOMIC FO	300.00	300.00
	Voucher:	41634					
51979225	1/4/2017	001158	WA CITIES INSURANCE AUTHORI40146	1/1/2017	2017/LIABILITY/PROGRAM ASSE	119,854.00	119,854.00
	Voucher:	41635					
51979226	1/4/2017	002939	WA STATE TREASURER 23201/0040776	12/19/2016	PE LICENSE RENEWAL/NURI AV	116.00	116.00
	Voucher:	41636					
51979227	1/4/2017	021897	WEDA 6825	9/1/2016	2017 MEMBERSHIP DUES/M.CRA	400.00	400.00
	Voucher:	41637					
51979228	1/4/2017	001428	WILBUR-ELLIS COMPANY 10527553	12/15/2016	2017 SEMINAR/VARIOUS STAFF	270.00	270.00
	Voucher:	41638					
Sub total for BANK OF AMERICA:							124,588.08

10 checks in this report.

Grand Total All Checks: 124,588.08

FINAL CHECK LISTING
CITY OF UNIVERSITY PLACE

Check Date: 01/04/2017

Check Range: 51979230-51979277 Wire Transfer: 19679904

Claims Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of University Place, and that I am authorized to authenticate and certify to said claim.

I also certify that the following list of checks were issued to replace previously issued checks that have not been presented to the bank for payment. The original check was voided and a replacement check issued.

Vendor Name

Replacement Check #

Original Check #

Auditing Officer: _____ (Signature on file.)

Date: _____

Bank : bofa BANK OF AMERICA

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
19679904	1/13/2017	002072	WA STATE DEPT OF REVENUE	DEC16	1/10/2017	DEC16/B&O TAX/SWM FEES	9,365.96	9,365.96
		Voucher: 41685						
51979230	1/13/2017	025978	AIRE PRO INC	54937	5/2/2016	REFRIGERATOR REPAIR/SR.CEN	255.45	255.45
		Voucher: 41639						
51979231	1/13/2017	023411	AUTOZONE, INC.	1164803847	12/23/2016	FLOOR MATS/WASH BRUSH	35.73	35.73
		Voucher: 41640						
51979232	1/13/2017	002333	BANK OF AMERICA	548001400009914	12/22/2016	MASTERCARD/12-22-2016	9,603.27	9,603.27
		Voucher: 41641						
51979233	1/13/2017	024374	BATTERY SYSTEMS INC.	3812841	12/27/2016	BATTERY/TRUCK 37	103.17	103.17
		Voucher: 41642						
51979234	1/13/2017	002257	BRUCE DEES & ASSOCIATES, LLi5830		11/2/2016	PRELIMINARY ENGINEERING/CF	16,725.00	16,725.00
		Voucher: 41643						
51979235	1/13/2017	002275	BUNCE DBA AMERICAN PARTY P181161-5		12/29/2016	MISC EQUIP RENTAL/2016 TREE	467.66	467.66
		Voucher: 41644						
51979236	1/13/2017	025428	CAPITAL ONE COMMERCIAL/COS7003-7301-0003-1		12/26/2016	7003-7301-0003-1024/COSTCO	142.85	142.85
		Voucher: 41645						
51979237	1/13/2017	001152	CENTURYLINK	1396830274	12/23/2016	PHONES/LONG DISTANCE/INTEF	1,532.13	1,532.13
		Voucher: 41646						
51979238	1/13/2017	022598	CHALLENGER SPORTS CORP.	0007532-IN	7/27/2016	SUMMER YOUTH SOCCER CAMI	579.00	579.00
		Voucher: 41647						

Bank : bofa BANK OF AMERICA

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Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
51979240	1/13/2017	001024 CITY OF TACOMA	100068203	12/30/2016	POWER/3715 BP WAY W	1,524.83	
	Voucher:	41648	100386367	12/23/2016	POWER/7223 40TH ST W	417.04	
			100668537	12/13/2016	WATER/7150 CIRQUE DR W	312.42	
			100385145	12/23/2016	WATER/3800 74TH AVE W	258.04	
			100312900	1/5/2017	POWER/3715 BP WAY W #E3	216.82	
			100032203	12/29/2016	POWER & WATER/2534 GRANDV	203.47	
			100955345	1/5/2017	WATER/3715 BP WAY W	165.79	
			100751205	1/5/2017	WATER/3555 MARKET PLACE WE	165.52	
			100060658	12/28/2016	POWER/3510 67TH AVE W	163.86	
			100142834	1/5/2017	WATER/3715 BP WAY W	162.52	
			100892486	1/3/2017	POWER/6400 BP WAY W	127.06	
			100079031	1/5/2017	POWER/3715 BP WAY W #D4	119.84	
			100864411	12/23/2016	POWER/6730 40TH ST CT W	119.13	
			100696565	12/27/2016	POWER/4609 ALAMEDA AVE W	104.37	
			100495884	1/5/2017	POWER/3625 DREXLER DR	103.03	
			100573267	12/27/2016	POWER/4727 ALAMEDA AVE W	99.13	
			100955347	1/5/2017	POWER/3715 BP WAY W, #E HSE	86.06	
			100104132	12/28/2016	POWER/3503 67TH AVE W	81.46	
			100302273	1/5/2017	POWER/3715 BP WAY W #D2	71.88	
			100312961	1/5/2017	POWER/3715 BP WAY W #A3	70.95	
			100105615	1/5/2017	POWER/3503 BP WAY W	65.24	
			100456986	1/3/2017	POWER/5918 HANNAH PIERCE F	58.38	
			100083115	12/23/2016	POWER/4000 67TH AVE W	57.50	
			100714386	1/5/2017	POWER/3609 MARKET PL W #20	50.45	
			100156353	1/5/2017	POWER/4720 BP WAY W	48.80	
			100533758	1/3/2017	POWER/5418 CIRQUE DR W	42.85	
			100110228	1/5/2017	POWER/3715 BP WAY W #B5	1,804.40	
			100445063	1/5/2017	POWER/3715 BP WAY W, #E2	40.20	
			100256491	12/13/2016	POWER/7250 CIRQUE DR W	38.00	
			100165190	12/23/2016	POWER/3761 BP WAY W	37.66	
			100312960	1/5/2017	POWER/3715 BP WAY W #A2	35.11	
			100955346	1/5/2017	POWER/3715 BP WAY W, #D HSE	33.18	
			100052902	1/5/2017	POWER/ 3715 BP WAY W/HSE	28.87	
			100312905	1/5/2017	POWER/3715 BP WAY W, #A-3A	19.23	
			100808956	12/28/2016	WATER/8005 27TH ST W	17.39	

Bank : bofa BANK OF AMERICA

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Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
			100802489	1/5/2017	POWER/3904 BP WAY W	17.17	
			100086165	1/5/2017	POWER/7813 44TH ST W	3.72	
			100086155	1/5/2017	POWER/7801 40TH ST W	3.72	6,975.09
51979241	1/13/2017	001108 CITY OF UNIVERSITY PLACE	4THQTR16	1/9/2017	#3094/SCALE WEIGHT/REQUIRE	284.21	284.21
		Voucher: 41649					
51979242	1/13/2017	026054 CITYWIDE CHURCH OF CHRIST	REFUND	12/30/2016	REFUND/DEPOSIT/SR CENTER F	200.00	200.00
		Voucher: 41650					
51979243	1/13/2017	002060 CODE PUBLISHING COMPANY IN55123		12/22/2016	MUNICIPAL CODE/ELECTRONIC	1,255.37	1,255.37
		Voucher: 41651					
51979244	1/13/2017	023782 COMPLETE OFFICE SOLUTIONS, 1473920-0		12/29/2016	WALL PLANNER/YEARLY	25.43	
		Voucher: 41652	1473551-0	12/28/2016	POST IT NOTES	5.45	30.88
51979245	1/13/2017	001737 DON SMALL & SONS OIL DIST CC112414		12/15/2016	BULK FUEL/PW SHOP	2,674.01	2,674.01
		Voucher: 41653					
51979246	1/13/2017	024894 FIGUEROA, JAVIER	REIMB	12/29/2016	REIMB/MILEAGE/PARKING/MEAL	105.81	105.81
		Voucher: 41654					
51979247	1/13/2017	002427 HOBART SERVICE	32872706	12/22/2016	DISHWASHER REPAIR/SR. CENT	899.26	899.26
		Voucher: 41655					
51979248	1/13/2017	001222 HOME DEPOT CREDIT SERVICES6035-3225-0105-0		12/28/2016	MISC REPAIR & MAINT SUPPLIES	12.90	12.90
		Voucher: 41656					
51979249	1/13/2017	025954 JOHNSTON CONSTRUCTION COI16-215		12/19/2016	BRIDGEPORT & 54TH ST WALL/E	9,550.62	9,550.62
		Voucher: 41657					
51979250	1/13/2017	023289 KIDZ LOVE SOCCER	2016FA-F86A	12/1/2016	FALL-LATE 2016/SOCCER INSTR	2,106.00	2,106.00
		Voucher: 41658					
51979251	1/13/2017	002873 LAKEWOOD HARDWARE & PAINT494294		12/15/2016	SAW REPAIR	115.71	115.71
		Voucher: 41659					
51979252	1/13/2017	001987 LAKEWOOD IRON WORKS	122916	12/29/2016	CONSTRUCT DECORATIVE PLAN	1,914.50	1,914.50
		Voucher: 41660					
51979253	1/13/2017	026035 LAYLA AND ME PHOTOGRAPHY	16-028	12/31/2016	2016 WINTER FEST SANTA PHOT	1,050.24	1,050.24
		Voucher: 41661					
51979254	1/13/2017	023115 LEMAY MOBILE SHREDDING	4503977	1/1/2017	DEC16/DOCUMENT SHREDDING	36.00	36.00
		Voucher: 41662					

Bank : bofa BANK OF AMERICA

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Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
51979255	1/13/2017	001378	MOUNTAIN MIST WATER	001044397	12/2/2016	#075361/BOTTLED WATER/CITY I	58.00
	Voucher:	41663		001070228	12/16/2016	#075361/BOTTLED WATER/CITY I	46.00
				001044400	12/2/2016	#068332/BOTTLED WATER/CM O	28.96
				001044378	12/2/2016	#075361/BOTTLED WATER/PW SI	21.75
				001044398	12/2/2016	#075361/BOTTLED WATER/REC C	21.75
				001071482	12/16/2016	#031650/BOTTLED WATER/SR CE	21.75
				001070218	12/16/2016	#075361/BOTTLED WATER/PW SI	13.00
				001070229	12/16/2016	#068332/BOTTLED WATER/CM O	12.00
				001070224	12/16/2016	#066460/BOTTLED WATER/FITNE	8.56
				001044616	12/2/2016	#031650/BOTTLED WATER/SR CE	7.50
				001075396	12/20/2016	#031650/BOTTLED WATER/SR CE	2.00
							241.27
51979256	1/13/2017	001095	NEWS TRIBUNE	I02821215-120720	12/7/2016	ORD PUBLICATION/#678-9	199.01
	Voucher:	41664		I02844949-122220	12/22/2016	PUBLIC HEARING NOTICE/MTG	129.33
							328.34
51979257	1/13/2017	025724	NORTHWEST PERMIT INC.	001622-0001	12/29/2016	PERMIT #BLDG16-0180/CANCEL	36.90
	Voucher:	41665					36.90
51979258	1/13/2017	026001	PACWEST MACHINERY LLC	20311684	12/30/2016	REPLACEMENT SWITCHES/SWE	123.43
	Voucher:	41666					123.43
51979259	1/13/2017	026037	PENDLETON CONSULTING LLC	DEC16	12/30/2016	DEC16/CONSULTANT/POLICE SE	644.00
	Voucher:	41667					644.00
51979260	1/13/2017	001109	PIERCE COUNTY BUDGET & FIN	CI-225610	12/23/2016	NOV16/ANIMAL CONTROL & SHE	9,239.53
	Voucher:	41668		CI-225485	12/19/2016	NOV16/JAIL SERVICES	4,244.00
				CI-225635	12/27/2016	NOV16/TRAFFIC OPERATIONS M	714.75
				CI-225628	12/27/2016	NOV16/BRIDGE ENGINEERING M	140.45
							14,338.73
51979261	1/13/2017	001588	PIERCE COUNTY SEWER	00664685	1/1/2017	SEWER/4951 GRANDVIEW DR W	176.86
	Voucher:	41669		00566276	1/1/2017	SEWER/3715 BP WAY W	134.19
				00000591	1/1/2017	SEWER/2534 GRANDVIEW DR W	76.00
				01576712	1/1/2017	SEWER/3609 MARKET PL W/RET	37.22
				01576721	1/1/2017	SEWER/3609 MARKET PL W/RET	37.22
				01576739	1/1/2017	SEWER/3609 MARKET PL W/RET	37.22
				01571443	1/1/2017	SEWER/7520 CIRQUE DR W	33.34
				00604682	1/1/2017	SEWER/2917 MORRISON RD W	25.58
				01633279	1/1/2017	SEWER/1902 SEAVIEW AVE W	17.83
				01512692	1/1/2017	SEWER/3555 MARKET PL W	17.83
							593.29
51979262	1/13/2017	001114	PITNEY BOWES GLOBAL FIN. SV	DEC16	1/9/2017	DEC16/ACCT19533470/POSTAGE	500.00
	Voucher:	41670					500.00

Bank : bofa BANK OF AMERICA

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
51979263	1/13/2017	001161	PUGET SOUND ENERGY CORP	300000009641	1/3/2017	GAS/3715 BP WAY W, #D2 & #A3	395.54
	Voucher:	41671		200017087624	1/4/2017	GAS/2534 GRANDVIEW DR W	374.14
				200000971479	12/23/2016	GAS/4910 BRISTONWOOD DR W	271.29
				200014542258	12/28/2016	GAS/7450 MARKET SQ W	197.34
				300000010987	1/3/2017	GAS/3715 BP WAY W, #E2	50.37
				220008861142	12/28/2016	GAS/3715 BP WAY W, #BLDG D1	39.38
							1,328.06
51979264	1/13/2017	001124	SAFEWAY, INC.	64682	12/31/2016	ACCT #64682/MISC PURCHASES	29.40
	Voucher:	41672					29.40
51979265	1/13/2017	024207	SEA-TAC LIGHTING & CONTRLS,L23070		12/20/2016	STREETLIGHTS/27TH ST TIB	21,190.78
	Voucher:	41673					21,190.78
51979266	1/13/2017	025815	SIGNATURE LANDSCAPE SERVICRC000016306		12/1/2016	DEC16/LANDSCAPE MAINT/CUS`	12,609.68
	Voucher:	41674	CN000000377		12/27/2016	CREDIT/DEC16 CONTRACT INCF	-1,553.59
							11,056.09
51979267	1/13/2017	002613	SUPERIOR LINEN SERVICE,INC. 97875		12/28/2016	OFFICE MAT RENTAL/PW SHOP	89.00
	Voucher:	41675					89.00
51979268	1/13/2017	002097	TACOMA SCREW PRODUCTS INC30834314		12/22/2016	PARTS/TRUCK #37/BED & CRANI	62.09
	Voucher:	41676					62.09
51979269	1/13/2017	025311	TACOMA WINSUPPLY, INC.	033154 00	12/16/2016	56TH ST/CIRQUE DR/PH1	2,686.30
	Voucher:	41677		032672 00	11/16/2016	27TH ST BID DESIGN	1,060.93
				800426 00	11/17/2016	CREDIT/DUPLICATE PAYMENT	-131.17
							3,616.06
51979270	1/13/2017	023228	THE ACTIVE NETWORK, INC.	81969068	12/27/2016	DEC19-DEC25/REGISTRATION	533.00
	Voucher:	41678		81966864	12/19/2016	DEC12-DEC18/REGISTRATION	362.00
				81966872	12/19/2016	DEC12-DEC18/ACTIVENET FEES	5.94
				81969122	12/27/2016	DEC19-DEC25/ACTIVENET FEES	3.65
				81971672	12/31/2016	DEC26-DEC31/ACTIVENET FEES	0.10
							904.69
51979271	1/13/2017	002823	THOMPSON ELECTRICAL CONST1216-9242CV		12/28/2016	SECURITY LIGHTING/CITY HALL	8,970.80
	Voucher:	41679	1216-9218CW		12/29/2016	DEC16/TROUBLESHOOTING & R	1,574.30
							10,545.10
51979272	1/13/2017	001326	TUCCI & SONS INC	4	1/6/2017	27TH ST/TIB IMPROVEMENTS	186,677.97
	Voucher:	41680					186,677.97
51979273	1/13/2017	026055	TWINCO, INC	001604-0010	12/29/2016	REFUND/PLACE OF ASSEMBLY F	110.00
	Voucher:	41681					110.00
51979274	1/13/2017	025376	UNIVERSAL FIELD SERVICES, INI48118		12/31/2016	BP WAY PH4A/ROW & ACQUISITI	134.50
	Voucher:	41682					134.50
51979275	1/13/2017	025336	US BANK	745000006	12/31/2016	CUSTOMER #745000006/DEC16/I	24.00
	Voucher:	41683					24.00

Bank : bofa BANK OF AMERICA

(Continued)

<u>Check #</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>Inv Date</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>	
51979276	1/13/2017	003057	WA DEPT OF FISH & WILDLIFE	7079	12/19/2016	MAPS/UPDATE HABITAT & SPECI	50.00	50.00
	Voucher:	41684						
51979277	1/13/2017	023675	ZEE MEDICAL INC.	68324299	12/29/2016	AED/BATTERY	369.09	
	Voucher:	41686		68324266	12/27/2016	ELECTRODES/CHARGER	206.46	575.55
Sub total for BANK OF AMERICA:								319,220.07

48 checks in this report.

Grand Total All Checks: 319,220.07

FINAL CHECK LISTING
CITY OF UNIVERSITY PLACE

Check Date: 01/13/2017

Check Range: 51979278-51979289

Claims Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of University Place, and that I am authorized to authenticate and certify to said claim.

I also certify that the following list of checks were issued to replace previously issued checks that have not been presented to the bank for payment. The original check was voided and a replacement check issued.

Vendor Name

Replacement Check #

Original Check #

Auditing Officer: _____ (Signature on file.)

Date: _____

Bank : bofa BANK OF AMERICA

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
51979229	1/4/2017	025146	BRIDGEPORT PLACE	DEPOSIT	12/27/2016	2017 COUNCIL RETREAT	570.00	570.00
		Voucher: 41689						
51979278	1/13/2017	001007	ASSN OF WASHINGTON CITIES	2017DUES	12/20/2016	2017 AWC MEMEBERSHIP FEE	22,489.00	22,489.00
		Voucher: 41687						
51979279	1/13/2017	024374	BATTERY SYSTEMS INC.	3823879	1/5/2017	BATTERY/TRUCK #19	245.87	245.87
		Voucher: 41688						
51979280	1/13/2017	025146	BRIDGEPORT PLACE	BALANCE	12/27/2016	2017 COUNCIL RETREAT/BREAK	570.00	570.00
		Voucher: 41690						
51979281	1/13/2017	001152	CENTURYLINK	253-584-0775	1/1/2017	PHONE/KOBAYASHI	53.67	53.67
		Voucher: 41691						
51979282	1/13/2017	024894	FIGUEROA, JAVIER	JAN17/MAYORS E	12/27/2016	PER DIEM & MILEAGE/MAYORS I	60.67	60.67
		Voucher: 41692						
51979283	1/13/2017	001223	HUMANE SOCIETY OF TACOMA	IVC0001743	1/1/2017	JAN17/BOARDING CONTRACT	102.00	102.00
		Voucher: 41693						
51979284	1/13/2017	003197	INT'L ASSN OF CHIEFS OF POLIC	1001245912	12/27/2016	2017 IACP MEMBERSHIP/MIKE B	150.00	150.00
		Voucher: 41694						
51979285	1/13/2017	002156	NATIONAL ASSN OF TOWN WATC	NN04850	1/7/2017	2017 MEMBERSHIP DUES/J.HALI	35.00	35.00
		Voucher: 41695						
51979286	1/13/2017	001497	ORNAMENTAL STONE INC	18882	1/5/2017	HIGH PLANTER GRAPHITE	227.85	227.85
		Voucher: 41696						
51979287	1/13/2017	001630	PUGET SD CLEAN AIR AGENCY	C17-093S/1STQTR	1/6/2017	1STQTR17/CLEAN AIR ASSESS/E	5,182.25	5,182.25
		Voucher: 41697						
51979288	1/13/2017	003008	SPRAGUE PEST SOLUTIONS INC	3056077	1/4/2017	PEST CONTROL/WMV	98.46	98.46
		Voucher: 41698						
51979289	1/13/2017	021733	UNIFIED OFFICE SERVICES	230662	1/9/2017	MISC OFFICE SUPPLIES/CM OFF	192.33	192.33
		Voucher: 41699						
Sub total for BANK OF AMERICA:							29,977.10	

13 checks in this report.

Grand Total All Checks: 29,977.10

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Approve the Final Plat of "Cascade Point," a 16-lot Single Family subdivision containing 16 proposed homes located at the 5800 block of 67th Avenue West, and forward to the Mayor for signature.

Agenda No: 8B

Dept. Origin: Planning and Development Services

For Agenda of: January 17, 2017

Exhibits: Pages 1-3 of the Final Plat

Concurred by Mayor: _____

Approved by City Manager: _____

Approved as to form by City Atty.: _____

Approved by Finance Director: _____

Approved by Department Head: _____

Expenditure Required: \$0.00	Amount Budgeted: \$0.00	Appropriation Required: \$0.00
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SUMMARY / POLICY ISSUES

UPMC Section 21.25.050 requires the City Council to approve a final plat in accordance with RCW 58.17. When the Planning and Development Services Director finds that the subdivision meets the criteria of UPMC Chapter 21.25, he or she shall recommend approval of the proposed final plat to City Council.

The Preliminary Plat/Planned Development District of "Cascade Point" was approved on March 29, 2007. The applicant has been working since that time to comply with State law, City zoning and subdivision codes, and all conditions of preliminary approval. The applicant has either installed necessary utility and access infrastructure and landscaping – which have been inspected and approved – or submitted financial guarantees to the City for these improvements as required by all applicable regulations.

Staff finds that the final plat of "Cascade Point" meets applicable State law, subdivision and zoning codes, and conditions of approval of the preliminary plat.

ALTERNATIVES CONSIDERED

Disapproval – All conditions of preliminary approval have been met, and staff knows of no reason to disapprove the action.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

MOVE TO: Approve the Final Plat of "Cascade Point," a 16-lot Single Family subdivision containing 16 proposed homes located at the 5800 block of 67th Avenue West, and forward to the Mayor for signature.

CASCADE POINT

A PORTION OF THE NE 1/4 OF THE SE 1/4, SECTION 22, TOWNSHIP 20 NORTH, RANGE 2 EAST, W.M.
CITY OF UNIVERSITY PLACE, PIERCE COUNTY, WASHINGTON

LEGAL DESCRIPTION

(BY STEWART TITLE GUARANTEE, ORDER NO. 207737, DATED OCTOBER 28, 2015)

PARCEL: 0220224046

THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 22, TOWNSHIP 20 NORTH, RANGE 2 EAST, W.M.;

EXCEPT THE WESTERLY 100.01 FEET THEREOF;

EXCEPT ANDERSON PIERCE COUNTY ROAD;

TOGETHER WITH THAT PORTION OF VACATED 67TH AVENUE WEST QUIETED BY DECREE ENTERED MAY 30, 2007 UNDER PIERCE COUNTY SUPERIOR COURT CAUSE NO. 07-2-07539-4, ABUTTING THEREON AND ATTACHED THERETO BY OPERATION OF LAW.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

PARCEL: 0220224040

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 2 EAST, W.M.;

EXCEPT ANDERSON PIERCE COUNTY ROAD;

AND EXCEPT 67TH AVENUE, PIERCE COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF VACATED 67TH AVENUE WEST QUIETED BY DECREE ENTERED MAY 30, 2007 UNDER PIERCE COUNTY SUPERIOR COURT CAUSE NO. 07-2-07539-4, ABUTTING THEREON AND ATTACHED THERETO BY OPERATION OF LAW.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED PROPERTY, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL ROADS (NOT DESIGNATED AS PRIVATE) FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, TOGETHER WITH THE RIGHT TO MAKE ANY NECESSARY CUTS AND FILLS UPON THESE LOTS IN THE ORIGINAL REASONABLE GRADING OF THESE ROADS;

WE DEDICATE TO THE CITY OF TACOMA, DEPARTMENT OF PUBLIC UTILITIES, WATER DIVISION, DBA TACOMA WATER A PERPETUAL EASEMENT WITH A RIGHT OF ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF WATER MAINS AND OTHER APPURTENANCES OVER, UNDER AND ACROSS THE WATER EASEMENTS SHOWN ON THE FACE OF THE PLAT.

ALSO TRACT A IS HEREBY DONATED TO THE CASCADE POINT HOMEOWNER'S ASSOCIATION AS OPEN SPACE.

ALSO, TRACT B IS HEREBY DONATED TO THE CASCADE POINT HOMEOWNER'S ASSOCIATION AS AN OPEN SPACE AND STORM DRAINAGE TRACT. SUBJECT TO AN EASEMENT OVER, UNDER, AND ACROSS SAID TRACT 'B' IN ITS ENTIRETY TO THE CITY OF UNIVERSITY PLACE.

ALSO, TRACT C IS HEREBY DONATED TO THE CASCADE POINT HOMEOWNER'S ASSOCIATION AS A PRIVATE ACCESS AND UTILITY EASEMENT FOR THE BENEFIT OF PARCEL #0220224045.

MACADAM INVESTMENTS, LLC

MACADAM INVESTMENTS, LLC

By: Maurice Manning
MAURICE MANNING, MANAGING MEMBER

By: Ryan O'Neil
RYAN O'NEIL, MEMBER

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
COUNTY OF PIERCE) SS

THIS IS TO CERTIFY THAT ON THIS 5th DAY OF January, 2017, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED MAURICE MANNING, THE MANAGING MEMBER OF MACADAM INVESTMENTS, LLC, TO ME KNOWN TO BE THE INDIVIDUAL WHO SIGNED THE FOREGOING DEDICATION AND ACKNOWLEDGED THAT HE DID SO AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY FOR THE USES AND PURPOSES STATED THEREIN, AND UNDER OATH, STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT ON BEHALF OF SAID COMPANY.

IN WITNESS WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Notary Public
State of Washington
CAMILLE WASHINGTON
MY COMMISSION EXPIRES
MARCH 1, 2018

Camille Washington
Notary Public in and for the
State of Washington, Residing at Tacoma
Printed Name Camille Washington
My commission expires 03-01-18

THIS IS TO CERTIFY THAT ON THIS 5th DAY OF January, 2017, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED RYAN O'NEIL, A MEMBER OF MACADAM INVESTMENTS, LLC, TO ME KNOWN TO BE THE INDIVIDUAL WHO SIGNED THE FOREGOING DEDICATION AND ACKNOWLEDGED THAT HE DID SO AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID INSTITUTION FOR THE USES AND PURPOSES STATED THEREIN, AND UNDER OATH, STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT ON BEHALF OF SAID INSTITUTION.

IN WITNESS WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Notary Public
State of Washington
CAMILLE WASHINGTON
MY COMMISSION EXPIRES
MARCH 1, 2018

Camille Washington
Notary Public in and for the
State of Washington, Residing at Tacoma
Printed Name Camille Washington
My commission expires 03-01-18

LAND SURVEYOR'S CERTIFICATE

I, HEREBY CERTIFY THAT THIS PLAT IS BASED ON A TRUE AND ACCURATE SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE BEARINGS AND DISTANCES ARE SHOWN CORRECTLY HEREON; THAT THE APPLICABLE MONUMENTS WILL BE SET OR BONDED WITH THE CITY AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND; AND THAT LOT CORNERS, OR APPROPRIATE OFFSETS THERETO, WILL BE SET, AND THAT I HAVE COMPLIED WITH CITY OF UNIVERSITY PLACE PLATTING REGULATIONS AND THE STATE OF WASHINGTON STATUTES GOVERNING SUBDIVISIONS AND THAT IT CONFORMS TO THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.

TERRELL C. FERGUSON, PLS
CERTIFICATE NO. 22956

CITY APPROVALS

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

WE HEREBY CERTIFY THAT THIS PLAT IS DULY APPROVED BY THE CITY OF UNIVERSITY PLACE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

DIRECTOR, PLANNING AND DEVELOPMENT SERVICES DEPARTMENT _____ DATE _____

ENGINEERING DEPARTMENT

EXAMINED AND APPROVED BY THE CITY ENGINEER OF THE CITY OF UNIVERSITY PLACE FOR STREETS AND STORM DRAINAGE SYSTEMS.

CITY ENGINEER, CITY OF UNIVERSITY PLACE _____ DATE _____

FIRE CODE OFFICIAL

WE HEREBY CERTIFY THAT THIS PLAT IS DULY APPROVED, SUBJECT TO COMPLIANCE WITH ALL CURRENT REQUIREMENTS OF THE CITY OF UNIVERSITY PLACE FIRE CODE OFFICIAL.

FIRE CODE OFFICIAL, CITY OF UNIVERSITY PLACE _____ DATE _____

CITY COUNCIL

EXAMINED AND APPROVED BY THE MAYOR OF THE CITY OF UNIVERSITY PLACE.

MAYOR, CITY OF UNIVERSITY PLACE _____ DATE _____

PIERCE COUNTY APPROVALS

PIERCE COUNTY PUBLIC WORKS - SEWER DIVISION

EXAMINED AND APPROVED WITH CONDITIONS (SEE SANITARY SEWER NOTES ON SHEET 3 OF 3).

EXAMINED AND APPROVED WITH THE FOLLOWING CONDITIONS:
CITY OF UNIVERSITY PLACE HAS NO OBLIGATION FOR THE MAINTENANCE OR REPAIR OF THE PRIVATE ROADS OR STORM SEWER SYSTEM LOCATED IN THE PLAT. EACH AND EVERY LOT OWNER WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL ROADS AND STORM DRAINAGE SYSTEM ASSOCIATED WITH THE PLAT. THEY WILL ALSO BE COLLECTIVELY RESPONSIBLE FOR CONTROLLING ALL STORM WATER RUNOFF THAT WILL BE CREATED BY THE DEVELOPMENT OF THIS PLAT.

CITY OF UNIVERSITY PLACE HAS NO OBLIGATION TO ACCEPT THE ROADS IN THIS PLAT FOR DEDICATION OR MAINTENANCE AT ANYTIME. IF THE CITY OF UNIVERSITY PLACE DESIRES TO ACCEPT THE ROADS FOR DEDICATION, THE ROADS AND ASSOCIATED STORM SEWER SYSTEM SHALL MEET ALL CURRENT DESIGN AND CONSTRUCTION STANDARDS.

Paul J. ...
WASTEWATER UTILITIES MANAGER _____ DATE 1/05/17

ASSESSOR - TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED.

Michelle ...
ASSESSOR/TREASURER _____ DATE 1-5-17

HEALTH DEPARTMENT

WATER SUPPLY APPROVED

Michelle ...
DEPARTMENTAL REPRESENTATIVE _____ DATE 1-5-17

AUDITOR

FILED FOR RECORD AT THE REQUEST OF _____ THIS _____ DAY OF _____, 2017, AT _____ MINUTES PAST _____ AND RECORDED IN VOLUME _____ OF PLATS AT PAGES _____, RECORDS OF THE PIERCE COUNTY AUDITOR, TACOMA, WASHINGTON.

PIERCE COUNTY AUDITOR _____ BY _____

RECORDING NUMBER _____

PROTECTIVE AND RESTRICTIVE COVENANTS

DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR CASCADE POINT RECORDED UNDER AFN _____

APPLICATION NO. FPL 16-0001



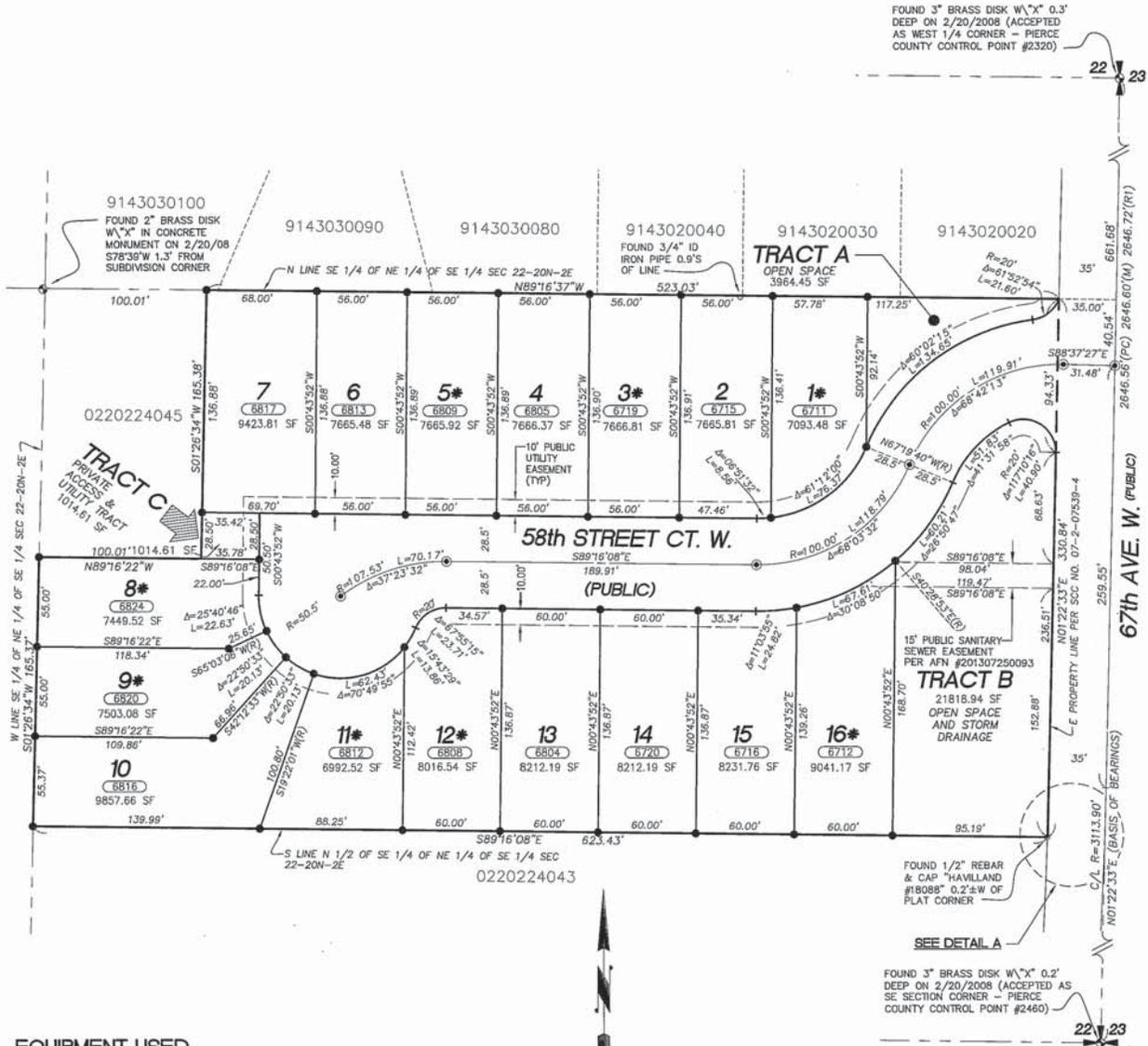
BASELINE ENGINEERING, INC.

Land Development Professional Services
(253)565-4481 • Seattle (206)824-1205 • FAX (253)565-8563
Land Planning & Use • Engineering • Surveying
1910-64th Avenue West • Tacoma, WA 98466

DRAWN BY: DJD/DP DATE: 01/03/17 JOB NO.: 08-015.1
CHECKED BY: TCF SCALE: N/A SHEET: 1 OF 3

CASCADE POINT

A PORTION OF THE NE 1/4 OF THE SE 1/4, SECTION 22, TOWNSHIP 20 NORTH, RANGE 2 EAST, W.M.
CITY OF UNIVERSITY PLACE, PIERCE COUNTY, WASHINGTON



FOUND 3" BRASS DISK W"x"x" 0.3" DEEP ON 2/20/2008 (ACCEPTED AS WEST 1/4 CORNER - PIERCE COUNTY CONTROL POINT #2320)

9143030100
FOUND 2" BRASS DISK W"x"x" IN CONCRETE MONUMENT ON 2/20/08 S78°30'W 1.3' FROM SUBDIVISION CORNER

9143020040
FOUND 3/4" ID IRON PIPE 0.9'S OF LINE

TRACT A
OPEN SPACE
3964.45 SF

TRACT C
PRIVATE ACCESS & UTILITY TRACT
1014.61 SF

TRACT B
21818.94 SF
OPEN SPACE AND STORM DRAINAGE

EQUIPMENT USED

TOPCON GPT-3000 (TOTAL STATION)
TOPCON GTS - 3030 (TOTAL STATION)
OMNI PRISM W/ -30mm OFFSET
TDS SDR DATA COLLECTOR

PLAT DATA

TOTAL ACREAGE:	4.35 ACRES
RESIDENTIAL LOTS:	16 LOTS
OTHER LOTS/TRACTS:	3 TRACTS
SMALLEST LOT AREA (SF):	6992.94 SF
AVERAGE LOT AREA (SF):	8022.78 SF
TOTAL ACREAGE IN OPEN SPACE:	0.62 ACRES
LENGTH OF PUBLIC STREETS:	1,402.49 LF
TOTAL ACREAGE IN PUBLIC STREETS:	1.79 ACRES

TRACTS

TRACT A. OPEN SPACE TRACT TO BE DONATED TO THE CASCADE POINT HOMEOWNERS' ASSOCIATION.

TRACT B. OPEN SPACE AND STORM DRAINAGE TRACT TO BE DONATED TO THE CASCADE POINT HOMEOWNERS' ASSOCIATION. SUBJECT TO AN EASEMENT OVER, UNDER, AND ACROSS SAID TRACT 'B' IN ITS ENTIRETY TO THE CITY OF UNIVERSITY PLACE.

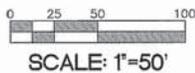
TRACT C. PRIVATE ACCESS AND UTILITY EASEMENT FOR THE BENEFIT OF PARCEL #0220224045 IS HEREBY DONATED TO THE CASCADE POINT HOMEOWNERS' ASSOCIATION.

BUILDING SETBACK REQUIREMENTS

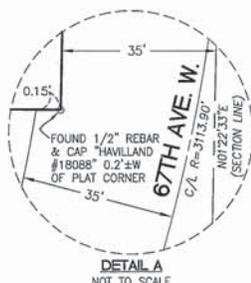
FRONT: *15 FEET (20 FEET FOR GARAGE FRONTS) ON LOTS 1, 3, 5, 8, 9, 11, 12, AND 16. REMAINING LOTS SHALL ADHERE TO THE STANDARD FRONT SETBACK PER ZONING.

SIDES: ALL LOTS SHALL ADHERE TO THE STANDARD SIDE YARD SETBACK PER ZONING.

REAR: ALL LOTS SHALL ADHERE TO THE STANDARD REAR YARD SETBACK PER ZONING.



BASIS OF BEARINGS
WASHINGTON STATE PLANE, NAD83-91, SOUTH ZONE AS DEFINED BY PIERCE COUNTY DEPT. OF PUBLIC WORKS PUBLISHED COORDINATES FOR POINTS #2320, A PC BRASS DISK SOUTH OF THE INTERSECTION OF 67TH AVE. W. & 55TH ST. W. & PC #2460, A BRASS DISK STEM IN BRIDGEPORT WAY W.
BEARING=50°12'33"W



FOUND 1/2" REBAR & CAP "HAVILLAND #18088" 0.2"±W OF PLAT CORNER

SEE DETAIL A

FOUND 3" BRASS DISK W"x"x" 0.2" DEEP ON 2/20/2008 (ACCEPTED AS SE SECTION CORNER - PIERCE COUNTY CONTROL POINT #2460)

LEGEND

- MONUMENT FOUND AS NOTED
- FOUND AS NOTED
- STANDARD CONCRETE MONUMENT WITH BRASS DISK TO BE SET
- 1/2" REBAR W/CAP "LS 22956/36819" TO BE SET
- (PC) PIERCE COUNTY
- (M) MEASURED
- (R1) THE QUARRY P.D.D. (AFN 9807145002)
- XXXX LOT ADDRESSES

APPLICATION NO. FPL 16-0001

BASELINE ENGINEERING, INC.
Land Development Professional Services

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Land Planning & Use • Engineering • Surveying
1910-64th Avenue West • Tacoma, WA 98466



DRAWN BY	BJD/DP	DATE	01/03/17	JOB NO.	08-015.1
CHECKED BY	TCF	SCALE	AS NOTED	SHEET	2 OF 3

CASCADE POINT

A PORTION OF THE NE 1/4 OF THE SE 1/4, SECTION 22, TOWNSHIP 20 NORTH, RANGE 2 EAST, W.M.
CITY OF UNIVERSITY PLACE, PIERCE COUNTY, WASHINGTON

EASEMENT PROVISIONS

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF UNIVERSITY PLACE, THE U.S. POST OFFICE, PUGET SOUND ENERGY, INC., TACOMA POWER, TACOMA WATER, CENTURYLINK OF WASHINGTON, INC., AND COMCAST CABLE COMPANY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR TEN (10) FEET OF ALL LOTS AND TRACTS ABUTTING 58th STREET CT. WEST IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE OR ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES, AND WIRES WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, GAS, TELEPHONE, TELEVISION AND OTHER SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.
2. A STORM MANAGEMENT EASEMENT WITHIN THE BOUNDARIES OF THIS SUBDIVISION IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF UNIVERSITY PLACE, A MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON, TOGETHER WITH ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS ASSIGNS, AND ITS CONTRACTORS, A PERPETUAL EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED 24-HOUR-A-DAY ACCESS FOR THE INSPECTION AND EMERGENCY MAINTENANCE AND/OR EMERGENCY REPAIR OF STORM MANAGEMENT FACILITIES, AS NOW PLANNED AND AS LATER ALTERED.

ENGINEERING NOTES

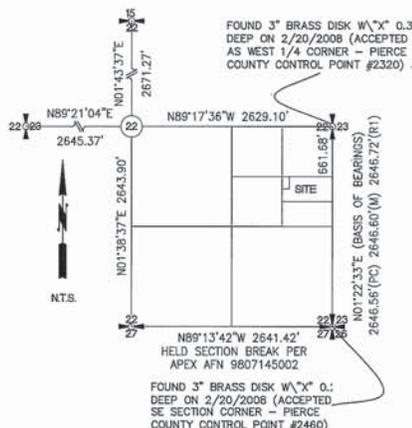
1. A STORM MANAGEMENT EASEMENT OVER, UNDER, AND ACROSS TRACT 'B' IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF UNIVERSITY PLACE, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, AND ITS CONTRACTORS, A PERPETUAL EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED 24-HOUR-A-DAY ACCESS FOR THE INSPECTION AND EMERGENCY MAINTENANCE AND/OR EMERGENCY REPAIR OF STORM MANAGEMENT FACILITIES, AS NOW PLANNED AND AS LATER ALTERED.
2. IT IS THE RESPONSIBILITY OF THE CASCADE POINT HOMEOWNERS' ASSOCIATION TO MAINTAIN, REPAIR, REPLACE AS NECESSARY, THE PLANTER STRIPS WITHIN THE CITY OF UNIVERSITY PLACE RIGHTS OF WAY INTERNAL TO THE PLAT AND ALONG THE PLAT FRONTAGE ON 67TH AVENUE WEST.
3. IT IS THE RESPONSIBILITY OF THE CASCADE POINT HOMEOWNERS' ASSOCIATION TO MAINTAIN, REPAIR, REPLACE AS NECESSARY, THE STORM DRAINAGE FACILITIES LOCATED IN/ON TRACT 'B'.
4. NO DIRECT LOT ACCESS SHALL BE ALLOWED TO 67TH AVENUE WEST.
5. THE LIGHT STANDARDS ON 58TH STREET COURT WEST LOCATED IN CITY OF UNIVERSITY PLACE RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE CASCADE POINT HOMEOWNERS' ASSOCIATION.

PLAT NOTES

1. IT IS THE RESPONSIBILITY OF THE CASCADE POINT HOMEOWNERS ASSOCIATION TO MAINTAIN, REPAIR, REPLACE AS NECESSARY, THE PLANTER STRIPS WITHIN THE CITY OF UNIVERSITY PLACE RIGHTS OF WAY INTERNAL TO THE PLAT.
2. IT IS THE RESPONSIBILITY OF THE CASCADE POINT HOMEOWNERS ASSOCIATION TO MAINTAIN, REPAIR, REPLACE AS NECESSARY, THE STORM DRAINAGE FACILITIES LOCATED ON TRACT 'B'.

SANITARY SEWER NOTES

1. ALL LOTS WITHIN THIS PLAT ARE SERVED BY PIERCE COUNTY'S PUBLIC SANITARY SEWER SYSTEM.
2. EACH LOT OF THIS PLAT SHALL BE SERVED BY AN INDIVIDUAL SIDE SEWER STUB UNLESS OTHERWISE APPROVED BY PIERCE COUNTY.
3. ALL IMPROVEMENTS AND/OR REPAIRS TO THE SANITARY SEWER SYSTEM AND INDIVIDUAL BUILDING SEWERS SHALL BE MADE BY A REGISTERED SEWER CONTRACTOR IN ACCORDANCE WITH THE LATEST ADOPTED PIERCE COUNTY SEWER CODE (PCC TITLE 13).
4. PIERCE COUNTY, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS AND ITS CONTRACTORS, ARE HEREBY GRANTED A PERPETUAL EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, AND REPAIR OF SANITARY SEWER PIPES, MANHOLES, AND OTHER SANITARY SEWER STRUCTURES OVER, UNDER, AND ACROSS THE EASEMENTS AND PRIVATE ROADS SHOWN ON THE FACE OF THE PLAT.
5. SANITARY SEWER SERVICE CHARGES, PERMIT FEES, AND CONNECTION CHARGES SHALL BE IN ACCORDANCE WITH THE LATEST ADOPTED PIERCE COUNTY SEWER CODE (PCC TITLE 13).
6. PIERCE COUNTY WILL NOT PROVIDE A COMMITMENT, OR GUARANTEE, OF SANITARY SEWER AVAILABILITY FOR THE REAL PROPERTY DESCRIBED ON THE FACE OF THIS PLAT UNTIL PAYMENT OF THE REQUIRED CONNECTION CHARGES HAVE BEEN RECEIVED BY THE COUNTY.
7. APPROVAL OF THIS PLAT DOES NOT CONVEY ANY VESTED RIGHTS OR ANY EXCLUSIVE PRIVILEGES RELATED TO SANITARY SEWER SERVICE. IT DOES NOT AUTHORIZE ANY SEWER CONSTRUCTION, IT DOES NOT ELIMINATE THE NEED TO COMPLY WITH THE MOST CURRENT COUNTY, STATE, FEDERAL OR LOCAL STANDARDS OR REGULATIONS OR THE NEED TO OBTAIN ALL NECESSARY SEWER PERMITS.
8. A PUBLIC SANITARY SEWER EASEMENT EXISTS ACROSS TRACT B OF THIS PLAT.
 - A. PIERCE COUNTY, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, AND ITS CONTRACTORS, ARE HEREBY GRANTED A PERPETUAL NON-EXCLUSIVE EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, AND REPAIR OF SANITARY SEWER MAINS, MANHOLES, AND OTHER APPURTENANCES OVER, UNDER, THROUGH, AND ACROSS THE REAL PROPERTY SHOWN ON THE FACE OF THIS PLAT AND DESCRIBED HEREIN AS PUBLIC SANITARY SEWER EASEMENTS.
 - B. NO CHANGES OF GRADES, ELEVATIONS, OR CONTOURS SHALL BE ALLOWED ON, OVER, OR WITHIN THE SANITARY SEWER EASEMENT AREAS NOTED ON THE PLAT WITHOUT OBTAINING THE PRIOR WRITTEN APPROVAL OF PIERCE COUNTY.
 - C. NO STRUCTURES (E.G., SHEDS, DECKS, ETC.) OR OBSTRUCTION (E.G. LANDSCAPE PLANTS, ETC.) WILL BE PLACED WITHIN THE PUBLIC SANITARY SEWER EASEMENT. THE EXISTING MAINTENANCE ROAD SHALL NOT BE DISTURBED.
 - D. NO FENCES WILL BE CONSTRUCTED WITHIN OR AROUND THE PUBLIC SANITARY SEWER EASEMENT UNLESS THERE ARE ACCESS GATES FOR MAINTENANCE WORKERS/VEHICLES OF PIERCE COUNTY. MAINTENANCE WORKERS/VEHICLES SHALL HAVE UNRESTRICTED ACCESS 24 HOURS A DAY.



PLANNING NOTES

1. THIS SITE LIES WITHIN AN AQUIFER RECHARGE AREA AS DEFINED BY CHAPTER 17.20 UPMC. RESTRICTION ON USE OR ALTERATION OF THE SITE MAY EXIST DUE TO NATURAL CONDITIONS OF THE SITE AND RESULTING REGULATION.
2. PORTIONS OF THE SITE LIE WITHIN A LANDSLIDE EROSION AREA AS DEFINED BY CHAPTER 17.15 UPMC. RESTRICTIONS ON USE OR ALTERATION OF THE SITE MAY EXIST DUE TO THE NATURAL CONDITIONS OF THE SITE AND RESULTING REGULATION. INDIVIDUAL GEOTECHNICAL REPORTS MAY BE REQUIRED ON INDIVIDUAL LOTS AT THE TIME OF BUILDING PERMIT.



BASELINE ENGINEERING, INC.
Land Development Professional Services
 (253)565-4491 • Seattle (206)824-1205 • FAX (253)565-8563
 Land Planning & Use • Engineering • Surveying
 1910-64th Avenue West • Tacoma, WA 98466

DRAWN BY	DJD/DP	DATE	01/03/17	JOB NO.	08-015.1
CHECKED BY	TCF	SCALE	N/A	SHEET	3 OF 3

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Authorize the City Manager to approve payment of \$48,128.86 for the Eden Systems/Tyler Technologies invoice for financial systems software maintenance and support covering January 1, 2017 through December 31, 2017.

Agenda No: 8C
Dept. Origin: Communications/Information Technology
For Agenda of: January 17, 2017
Exhibits: Invoice

Concurred by Mayor: _____
Approved by City Manager: _____
Approved as to form by City Atty.: _____
Approved by Finance Director: _____
Approved by Department Head: _____

Expenditure Required: \$48,128.86	Amount Budgeted: \$50,000.00	Appropriation Required: \$0.00
--------------------------------------	---------------------------------	-----------------------------------

SUMMARY / POLICY ISSUES

The City has been invoiced by Eden Systems/Tyler Technologies for maintenance and technical support for the City's financial systems covering the period of January 1, 2017 through December 31, 2017, shown in the attached invoice, the total of which is \$48,128.86. Funds are identified within the IT 2017 budget. The maintenance agreement is necessary to insure the integrity of the system and ongoing business processes of the City.

ALTERNATIVE CONSIDERED

N/A

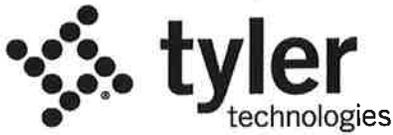
BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

MOVE TO: Authorize the City Manager to approve payment of \$48,128.86 for the Eden Systems/Tyler Technologies invoice for financial systems software maintenance and support covering January 1, 2017 through December 31, 2017.

NOV 21 2016



Remittance:
Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
Dallas, TX 75320-3556

Invoice

Invoice No	Date	Page
045-175069	11/15/2016	1 of 1

Empowering people who serve the public®

Questions:

Tyler Technologies - ERP & Schools
Phone: 1-800-772-2260 Press 2, then 1
Fax: 1-866-673-3274
Email: ar@tylertech.com



Bill To: City of University Place
3715 Bridgeport Way West
University Place, WA 98466-0000

Ship To: City of University Place
3715 Bridgeport Way West
University Place, WA 98466-0000

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
5326	84743		USD	NET30	12/15/2016

Date	Description	Units	Rate	Extended Price
	Support Plus	1	7,750.00	7,750.00
Contract No.: UNIVERSITY PLACE, CITY OF				
	Accounts Receivable Support	1	2,128.29	2,128.29
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Budget Preparation Support	1	3,522.65	3,522.65
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Data Dictionaries Support	1	88.06	88.06
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	GL/AP Support	1	10,274.42	10,274.42
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Payroll Support	1	8,806.66	8,806.66
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Position Budgeting Support	1	1,467.76	1,467.76
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Project Accounting Support	1	2,489.35	2,489.35
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Purchasing Support	1	1,761.33	1,761.33
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Requisitions Support	1	1,174.20	1,174.20
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Human Resources Support	1	694.79	694.79
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Human Resources Support Web	1	397.02	397.02
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				
	Tyler Cashiering Support	1	4,037.50	4,037.50
Maintenance: Start: 01/Jan/2017, End: 31/Dec/2017				

****ATTENTION****

Order your checks and forms from
Tyler Business Forms at 877-749-2090 or
tylerbusinessforms.com to guarantee
100% compliance with your software.

Subtotal 44,592.03

Sales Tax 3,536.83

Invoice Total 48,128.86

STUDY SESSION

Memo

DATE: January 10, 2017
TO: City Council
FROM: David Swindale, Director, Planning and Development Services
SUBJECT: 2017 Planning Commission Work Plan

Each year the City Council establishes an annual work plan for the Planning Commission. This work plan is based on direction from the City Council, State mandates that require plan or regulatory amendments, and advice from staff.

In 2017, the Planning Commission will consider two City Council resolutions adopted in the fourth quarter of 2016 directing the Planning Commission work in 2017. The first, Resolution 819 directs the Commission to continue their review and recommendation on changing message signs. The second, Resolution 821 directs the Commission to consider a City-initiated rezone of Parcels 426000151 and 4260000152 located on the southwest corner of Bridgeport Way and 54th Street West to allow for commercial use.

Because the Chambers Landing Comprehensive Plan Amendment is slated to go before the City Council for study in March with possible action in April, the Planning Commission will study Resolution 821 in January and February so that it may have a recommendation for the City Council to consider concurrently with the Chambers Landing proposal in March and April. Work on changing message signs will follow. Given these considerations, staff recommends the City Council establish the Planning Commission work plan as follows:

First Quarter 2017

- Continue to work on a recommendation to the City Council on Marijuana Uses (City Council Resolution 718). The Planning Commission will hold a study session in January and a public hearing in February before forwarding a recommendation to the City Council.
- Continue to review a privately-initiated Comprehensive Plan Map Amendment for a 72-unit condominium development known as Chambers Landing as well as the City-initiated rezones of Parcels 4260000151 and 4260000152 located on the southwest corner of Bridgeport Way and 54th Street West to allow for commercial use.

Second Quarter 2017

- Consider a second privately-initiated Zoning Code Text Amendment to allow single family uses in the Neighborhood Commercial Zone proposed by Fred Axe. Work on this may begin in the first quarter and carry over through the second quarter of the year.
- Review the draft of the University Place Regional Growth Center Subarea Plan and forward a recommendation to the City Council for consideration.

Third Quarter 2017

- Consider Council Resolution 819 regarding changing message signs.

Fourth Quarter 2017

At this time there is no Planning Commission work planned for the fourth quarter. However, State mandates and City Council Resolutions directing Planning Commission work are anticipated.

Proposed 2017 Planning Commission Work Plan

January -March	April - June	July - September	October - December
Resolution 718 Marijuana Uses			
Chambers Landing Comprehensive Plan Map Amendment*			
Resolution 821 Rezone at 54 th at Bridgeport Way			
	Fred Axe Zoning Text Amendment*		
	Regional Growth Center Subarea Plan		
	Resolution 819 Changing Message Signs		

* Privately initiated with fees paid

CITY of UNIVERSITY PLACE
3715 Bridgeport Way West ♦ University Place, WA 98466
Phone (253) 566-5656 ♦ FAX (253) 460-2541

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT
STAFF REPORT TO THE CITY COUNCIL**

January 9, 2017

FLOOD DAMAGE PREVENTION

SUBJECT: Flood Damage Prevention

INTRODUCTION: On September 7, 2016 the Department of Homeland Security's Federal Emergency Management Agency (FEMA) notified the City of University Place that within six month of the notification, the City must adopt floodplain regulations which are consistent with the Code of Federal Regulations CFR Title 44, Chapter 59 Section 60.3 (d & e) as a condition of continued eligibility in the National Flood Insurance Program (**Exhibit 1**).

BACKGROUND: On December 19, 2014 FEMA which administers the National Flood Insurance Program (NFIP) provided the City with an updated preliminary Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) for Pierce County including the City of University Place.

The study and maps identified existing flood hazard areas in the community including elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood elevation). These base flood elevations were published in the News Tribune on July 8, 2015, and July 15, 2015.

At the commencement of a statutory 90 day appeal period beginning on July 15, 2015, the City posted public notification signs on Day Island and at Sunset Beach and published an article in the City's Newsletter. Additional notice was provided by Pierce County. Inquiries were forwarded to Pierce County's Surface Water Management Department which was coordinating the appeal process.

Once the appeal period expired and the appeals processed concluded, FEMA notified the City the FIS and FIRM would become effective within 6-months of the September 7, 2016 notification. The effective date for the FIS, FIRM and the deadline for adopting local regulations consistent with CFR Title 44, Chapter 59 Section 60.3 (d & e) is March 7, 2017.

Pierce County and all jurisdictions with Pierce County with floodplains have the same requirement and deadline. These are not new regulations but exist in the Municipal Code in Titles 14 and 17. Therefore, the regulations need only to be amended to comply with the updated FIS and State Flood Damage Prevention Model Ordinance (**Exhibits 2 & 3**).

COMPREHENSIVE PLAN: The University Place Comprehensive Plan contains the following applicable policies:

Policy EN1R

Preserve the natural flood storage function of floodplains. Emphasize non-structural methods in planning for flood prevention and damage reduction.

Policy EN1S

Protect 100-year floodplains by restricting development within them, locating roads and structures above the 100-year flood level, and requiring new development to replace existing flood storage capacity lost to filling. Discourage development of critical and essential public facilities, such as medical centers and schools, within the 500-year floodplain.

Policy EN1T

Make floodplain and floodway information available to the public to improve community understanding of potential hazard areas, particularly the saltwater shoreline at the northern end of Day Island, South Spit and Sunset Beach, the areas adjoining Leach Creek and Chambers Creek, and the Morrison Pond wetland system.

ORGANIZATION OF THE STAFF REPORT

This Staff Report lists proposed amendments by page number and section. The State Department of Ecology which oversees floodplain management regulations in the state provided a completed Washington State Model Ordinance Evaluation Sheet indicating where amendments are required and/or recommended (**Exhibit 4**).

Chapter 14.15 Flood Damage Prevention

PAGE 4 SECTION 14.15.20(B)

GENERAL PROVISIONS

Proposed Amendment. Update the effective date of the Flood Insurance Study and amend text for constancy with the State Model Ordinance.

B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for Pierce County,” dated March 7, 2017 August 19, 1987, as amended, with accompanying Flood Insurance Rate Maps (FIRM), as amended, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study and the FIRM are is on file at City Hall.

Proposed Amendment. Add severability clause.

D. Severability. If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

PAGES 10 & 11 SECTIONS 14.15.040(B)(1, 2 & 3) PROVISIONS FOR FLOOD HAZARD REDUCTION

Proposed Amendment. Add “or more” to the following three provisions:

1. Residential Construction.

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation.

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation, or, together with attendant utility and sanitary facilities, shall:

3. Manufactured Homes.

- a. All manufactured homes to be placed or substantially improved within zones A1–30, AH, and AE on the community’s FIRM on sites:
 - i. Outside of a manufactured home park or subdivision,
 - ii. In a new manufactured home park or subdivision,
 - iii. In an expansion to an existing manufactured home park or subdivision, or
 - iv. In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as the result of a flood; shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

Proposed Amendment. Amend text for consistency with State Model Ordinance.

~~D—Encroachments. The cumulative effect of any proposed development, where combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.~~

D. AE and A1-30 Zones with Base Flood Elevations but no Floodways. In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point in the City.

Chapter 17.30 Flood Hazard Areas

Page 1, Section 17.30.005

Purpose

Proposed Amendment. Amend text for consistency with State Model Ordinance

The purpose of this chapter is to regulate land use activity within areas of special flood hazard areas to avoid adverse impacts to on-site and off-site improvements, property and persons. Additionally, the purpose of this chapter is to protect water quality in the event flooding should occur.

Page 1, Section 17.30.010 (A & B)

Applicability and Basis

Classification

Proposed Amendment. Amend text for consistency with State Model Ordinance and update the effective date of the Flood Insurance Study.

A. Applicability. This chapter applies to regulated activities within areas of special flood hazard areas.

B. Basis for Establishing the Areas of Special Flood Hazard Classification. All areas of special flood hazard areas shall be as identified by the Federal Insurance Administration in the a scientific and engineering report entitled "The Flood Insurance Study for Pierce County," dated August 19, 1987 March 7, 2017, or as amended, with accompanying fFlood iInsurance rRate mMaps (FIRM) or as amended are hereby adopted by reference and declared to be a part of this chapter. Prepared by the Federal Emergency Management Agency (FEMA). The Flood Insurance Study for Pierce County and FIRM are on file at the City.

Proposed Amendment. Amend text for consistency with State Model Ordinance.
Replace Mapping with Severability Clause.

If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

~~Flood hazards are delineated on the maps created by the Department.~~

EXHIBIT 1

SEPTEMBER 7, 2016

FEDERAL EMERGENCY MANAGEMENT AGENCY

FINAL FLOOD ELEVATION DETERMINATION NOTIFICATION



SEP 12 2016

Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
15P

September 7, 2016

The Honorable Javier Figueroa
Mayor, City of University Place
3715 Bridgeport Way West
University Place, Washington 98466

Community: City of University Place,
Pierce County, Washington
Community No.: 530332
Map Panels Affected: See FIRM Index

Dear Mayor Figueroa:

This is to formally notify you of the final flood elevation determination for the City of University Place, Pierce County, Washington, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood elevations shall be sent to the Chief Executive Officer of the community, all individual appellants, and the state coordinating agency, and shall be published in the *Federal Register*.

On December 19, 2014, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided you with Preliminary copies of the FIS and Flood Insurance Rate Map (FIRM) that identify the existing flood hazards in your community including elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). The proposed flood hazard determinations (FHDs) for your community were published in the *News Tribune* on July 8, 2015 and July 15, 2015, and in the *Federal Register*, at Part 67, Volume 80, Page 32395 through 32397, on June 8, 2015.

The statutory 90-day appeal period, which was initiated on the second newspaper publication date cited above, has ended. FEMA did not receive any appeals of the proposed FHDs during that time. Accordingly, the FHDs for your community are considered final. The final rule for FHDs will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on March 7, 2017. Before the effective date, FEMA will send you final printed copies of the FIS and FIRM.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions within Pierce County has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

Because the FIS report establishing the BFEs for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to March 7, 2017, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d and e) of the enclosed NFIP regulations (44 CFR 59, etc.) by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d and e) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the effective FIS report and FIRM to which the regulations apply. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d and e);
2. Adopting all the standards of Paragraph 60.3(d and e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d and e).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

In addition to your community using the FIRM and FIS report to manage development in the floodplain, FEMA will use the FIRM and FIS report to establish appropriate flood insurance rates. On the effective date of the FIRM, actuarial rates for flood insurance will be charged for all new structures and substantial improvements to existing structures located in the identified Special Flood Hazard Areas, the areas subject to inundation by the base flood. These rates may be higher if structures are not built in compliance with the floodplain management standards of the NFIP. The actuarial flood insurance rates increase as the lowest elevations (including basement) of new structures decrease in relation to the BFEs established for your community. This is an important consideration for new construction because building at a higher elevation can greatly reduce the cost of flood insurance. Also, on the effective date of the FIRM for your community, additional "second-layer" coverage will become available. First-layer coverage on existing structures built prior to the effective date of the FIRM will continue to be available at subsidized rates (unless substantial improvements are made); it will also be available at actuarial rates and can be purchased at whichever rate is lower.

If your community is encountering difficulties in enacting the necessary floodplain management measures required to continue participation in the NFIP, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Bothell, Washington, at (425) 487-4600 for assistance. If you have any questions concerning mapping issues in general, please call FMIX at the telephone number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National*

FINAL SUMMARY OF MAP ACTIONS

Community: UNIVERSITY PLACE, CITY OF

Community No: 530332

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on March 7, 2017.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	01-10-229A	03/14/2001	DAY ISLAND, BLOCK 4, LOT 9 -- 1812 DAY ISLAND BLVD. WEST	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

FINAL SUMMARY OF MAP ACTIONS

Community: UNIVERSITY PLACE, CITY OF

Community No: 530332

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

EXHIBIT 2

PROPOSED AMENDMENTS

TITLE 14.15 - FLOOD DAMAGE PREVENTION

Chapter 14.15 FLOOD DAMAGE PREVENTION

Sections:

- [14.15.010](#) Definitions.
- [14.15.020](#) General provisions.
- [14.15.030](#) Administration.
- [14.15.040](#) Provisions for flood hazard reduction.

14.15.010 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

1. "Administrative appeal" means a request for a review of a decision made by an administrative official in the administration of this chapter.
2. "Area of shallow flooding" means a designated AO or AH zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.
3. "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V. Areas of special flood will also include "B" zones as defined below.
4. "B zone" means certain areas subject to the base flood with contributing drainage of more than 100 acres and less than one square mile and all pothole areas.
5. "Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.
6. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
7. "Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
8. "Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.
9. "Critical facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and

emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

10. "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

11. "Elevated building" means for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

12. "Existing manufactured home park or subdivision" means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

13. "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

14. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland or tidal waters; and/or

B. The unusual and rapid accumulation of runoff of surface waters from any source.

15. "Flood fringe" means the area subject to inundation by the base flood, but outside the limits of the floodway, and which may provide needed temporary capacity for flood waters.

16. "Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

17. "Flood insurance study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

18. "Floodplain" means the total area subject to inundation by the base flood including the flood fringe and the floodway areas.

19. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

20. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or

storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of UPMC [14.15.040\(E\)\(2\)\(b\)](#).

21. "Manufactured home" means a factory-assembled structure intended solely for human habitation, which has sleeping, eating and plumbing facilities, that is being used for residential purposes, that was constructed in accordance with the HUD Federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction, and that is constructed in a way suitable for movement along public highways.

22. "Mobile home/manufactured home park" means a tract of land designed and maintained under a single ownership of unified control where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes for residential purposes with or without charge. A mobile home or manufactured home park shall not include mobile home or manufactured home subdivisions or recreational vehicle parks.

23. "New construction" means structures for which the "start of construction" commenced on or after the effective date of the ordinance codified in this chapter.

24. "Recreational vehicle" means a structure or vehicle, other than a mobile home, which is permanently designed and intended for use for temporary housing purposes. Recreational vehicles shall include, but not necessarily be limited to, campers, motor homes, and travel trailers.

25. "Start of construction" includes substantial improvement, and means the date the building permit was issued; provided, the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation of the property or accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

26. "Structure" means anything that is constructed in or on the ground or over water, including any edifice, gas or liquid storage tank, and any piece of work artificially built up or composed of parts and joined together. For the purposes of this regulation, structure does not include paved areas, fill, or any vehicle.

27. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

28. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

A. Before the improvement or repair is started; or

B. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

A. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

B. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

29. "Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

30. "Water dependent" means any use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

(Ord. 164 § 1, 1997).

14.15.020 General provisions.

A. Lands to Which this Chapter Applies. This chapter shall apply to all areas of special flood hazards within the City of University Place, Washington.

B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Pierce County," dated ~~March 7, 2017~~ ~~August 19, 1987~~, as amended, with accompanying ~~F~~lood ~~i~~nsurance ~~R~~ate ~~M~~aps (FIRM), as amended, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study ~~and the FIRM are is~~ on file at City Hall.

C. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the city of University Place from taking such other lawful action as is necessary to prevent or remedy any violation.

D. Severability. If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

D-E. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E-F. Interpretation. In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

F-G. Warning and Disclaimer of Liability. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city of University Place, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

(Ord. 164 § 2, 1997).

14.15.030 Administration.

A. Site Development Permit.

1. Site Development Permit Required. A site development permit and building permit if applicable shall be obtained before construction or development begins within any area of special flood hazard established in UPMC [14.15.020](#)(B). The permit shall be for all structures including manufactured homes, and for all development including fill and other activities.
2. Application for Site Development Permit. Application for a site development permit shall be made on forms furnished by community development department, and in addition to the minimum requirements in the public work standards, may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
 - b. Elevation in relation to mean sea level to which any structure has been floodproofed;
 - c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in UPMC [14.15.040](#) (B)(2); and

d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

B. Designation of the Local Administrator. The community development department is hereby appointed to administer and implement this chapter by granting or denying site development permit applications through the city permit center in accordance with its provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the community development department shall include, but not be limited to:

1. Permit Review.

a. Review all site development permits to determine that the permit requirements of this chapter have been satisfied.

b. Review all site development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.

c. Review all site development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of UPMC [14.15.040\(C\)\(1\)](#) are met.

2. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with UPMC [14.15.020\(B\)](#), the department shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer UPMC [14.15.040\(B\)](#) and (C).

3. Information to be Obtained and Maintained.

a. Where base flood elevation data is provided through the flood insurance study or required as in subsection (C)(2) of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

b. For all new or substantially improved floodproofed structures:

i. Verify and record the actual elevation (in relation to mean sea level); and

ii. Maintain the floodproofing certifications required in subsection (A)(2)(c) of this section.

c. Maintain for public inspection all records pertaining to the provisions of this chapter.

4. Alteration of Watercourses.

a. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in UPMC Title [22](#).

D. Variances.

1. The hearings examiner may grant a variance to the requirements of this chapter. Before granting a variance the hearings examiner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:

- a. The danger that materials may be swept onto other lands to the injury of others;
- b. The danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity to the facility of a waterfront location, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

2. Upon consideration of the factors of subsection (D)(1) of this section and the purposes of this chapter, the hearings examiner may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter. The decision of the hearings examiner shall include the written warning provided for in subsection (D)(4)(h) of this section should a variance be granted.

3. The city clerk shall maintain the records of all appeal actions. The community development department shall report any variances to the Federal Insurance Administration upon request.

4. Conditions for Variances.

a. Generally, the only condition under which a variance from the elevation standard may be granted is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (a) through (k) of subsection (D)(1) of this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

b. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.

c. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

d. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

e. Variances shall only be issued upon:

i. A showing of good and sufficient cause;

ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection (D) (1) of this section, or conflict with existing local laws or ordinances.

f. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

g. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (D)(4)(a) of this section, and otherwise complies with UPMC [14.15.040\(A\)](#) and (B).

h. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood

elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5. Variance Procedure. Variances shall be processed in accordance with UPMC Title [22](#).

(Ord. 423 §§ 43 – 46, 2004; Ord. 164 § 3, 1997).

14.15.040 Provisions for flood hazard reduction.

A. General Standards. In all areas of special flood hazards, the following standards are required:

1. Anchoring.

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

b. All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

2. Construction Materials and Methods.

a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3. Utilities.

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals.

a. All subdivision proposals shall be consistent with the need to minimize flood damage;

- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least five lots.

5. Review of Building Permits. Where elevation data is not available either through the flood insurance study or from another authoritative source (UPMC 14.15.030(C)(2)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

B. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in UPMC [14.15.020\(B\)](#) or [14.15.030\(C\)\(2\)](#), the following provisions are required:

1. Residential Construction.

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation.
- b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation, or, together with attendant utility and sanitary facilities, shall:

- a. Be floodproofed so that below one foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in UPMC [14.15.030\(C\)\(3\)\(b\)](#);

d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection (B)(1)(b) of this section;

e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below).

3. Manufactured Homes.

a. All manufactured homes to be placed or substantially improved within zones A1–30, AH, and AE on the community's FIRM on sites:

- i. Outside of a manufactured home park or subdivision,
- ii. In a new manufactured home park or subdivision,
- iii. In an expansion to an existing manufactured home park or subdivision, or
- iv. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

b. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within zones A1–30, AH, and AE on the community's FIRM that are not subject to the above manufactured home provisions be elevated so that either:

- i. The lowest floor of the manufactured home is elevated one foot above the base flood elevation, or
- ii. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately designed foundation system to resist flotation, collapse, and lateral movement.

4. Recreational Vehicles. Recreational vehicles placed on sites within zones A1–30, AH, and AE on the community's FIRM either:

a. Be on the site for fewer than 180 consecutive days;

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of subsection (B)(3) of this section and the elevation and anchoring requirements for manufactured homes.

C. Floodways. Located within areas of special flood hazard established in UPMC [14.15.020\(B\)](#) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either (i) before the repair, or reconstruction is started, or (ii) if the structure has been damaged, and is being restored, before the damage occurred. Work done on structures to comply with existing health, sanitary, or safety codes or to structures identified as historic places shall not be included in the 50 percent.

3. If subsection (C)(1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.

~~D. Encroachments. The cumulative effect of any proposed development, where combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.~~

D. AE and A1-30 Zones with Base Flood Elevations but no Floodways. In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point in the City.

E. Standards for Shallow Flooding Areas (AO Zones). Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified).

2. New construction and substantial improvements of nonresidential structures within AO zones shall either:

a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or

b. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in subsection (B)(2)(c) of this section.

3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:

a. Be on the site for fewer than 180 consecutive days;

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of this section and the elevation and anchoring requirements for manufactured homes.

F. Coastal High Hazard Areas. Located within areas of special flood hazard established in UPMC [14.15.020\(B\)](#) are coastal high hazard areas, designated as zones V1–30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this chapter, the following provisions shall also apply:

1. All new construction and substantial improvements in zones V1–30 and VE (V if base flood elevation data is available) shall be elevated on pilings and columns so that:

a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level; and

b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

2. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (F)(1)(a) and (b) of this section.

3. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved

structures in zones V1-30 and VE, and whether or not such structures contain a basement. The community services department shall maintain a record of all such information.

4. All new construction shall be located landward of the reach of mean high tide.

5. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

6. If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

7. Prohibit the use of fill for structural support of buildings.

8. Prohibit manmade alteration of sand dunes which would increase potential flood damage.

9. All manufactured homes to be placed or substantially improved within zones V1–30, V, and VE on the community's FIRM on sites:

a. Outside of a manufactured home park or subdivision;

b. In a new manufactured home park or subdivision;

c. In an expansion to an existing manufactured home park or subdivision; or

d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood; meet the standards of subsections (F)(1) through (9) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1–30, V, and VE on the FIRM meet the requirements of subsection (B)(3) of this section.

10. Recreational vehicles placed on sites within zones V1–30, V, and VE on the community's FIRM either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c. Meet the requirements of UPMC [14.15.030\(A\)\(1\)](#) (permitting requirements) and subsections (F)(1) through (9) of this section.

G. Critical Facility. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet or more above the level of the base flood elevation (100-year) at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into flood waters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

(Ord. 423 § 47, 2004; Ord. 164 § 4, 1997).

EXHIBIT 3

**PROPOSED AMENDMENTS
TITLE 17.30 - FLOOD HAZARD AREAS**

Chapter 17.30 FLOOD HAZARD AREAS

Sections:

[17.30.005](#) Purpose.

[17.30.010](#) Applicability and ~~Basis of Establishing Areas of Special Flood Hazard classification.~~

[17.30.015](#) ~~Severability Mapping.~~

[17.30.020](#) Regulation.

17.30.005 Purpose.

The purpose of this chapter is to regulate land use activity within areas of special flood hazard ~~areas~~ to avoid adverse impacts to on-site and off-site improvements, property and persons. Additionally, the purpose of this chapter is to protect water quality in the event flooding should occur.

(Ord. 343 § 1, 2002).

17.30.010 Applicability and classification.

A. Applicability. This chapter applies to regulated activities within areas of special flood hazard ~~areas~~.

~~B. Basis for Establishing the Areas of Special Flood Hazard Classification.~~ All areas of special flood hazard ~~areas shall be as~~ identified by the Federal Insurance Administration in ~~the a~~ scientific and engineering report entitled "The Flood Insurance Study for Pierce County," dated ~~August 19, 1987~~ March 7, 2017, or as amended, with accompanying ~~Flood Insurance Rate Maps (FIRM) or as~~ amended are hereby adopted by reference and declared to be a part of this chapter prepared by the Federal Emergency Management Agency (FEMA). The Flood Insurance Study for Pierce County and FIRM are on file at the City.

(Ord. 343 § 1, 2002).

17.30.015 Severability. Mapping.

~~If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.~~

~~Flood hazards are delineated on maps created by the Department.~~

(Ord. 343 § 1, 2002).

17.30.020 Regulation.

All development in flood hazard areas shall be according to City codes including, but not limited to International Building Code, City Public Works Standards and Chapter 14.15 UPMC, Flood Damage Prevention.

A. No activity that increases flooding impacts on adjacent properties shall be permitted.

B. No new development served by septic system shall be permitted in the floodway or floodplain.

(Ord. 343 § 1, 2002).

EXHIBIT 4

**WASHINGTON STATE MODEL ORDINANCE
EVALUATION SHEET**

4	<p>MODEL ORDINANCE 4.3-2 USE OF OTHER BASE FLOOD DATA</p> <p>When base flood elevation data has not been provided (in A or V Zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the (<i>Local Administrator</i>) shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.4 FLOODWAYS.</p>				<p>✓ 44 CFR 60.3(b)(4) 14,15,03(2)</p>
5	<p>MODEL ORDINANCE 4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED</p> <p>(1) Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in Section 4.3-2, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.</p> <p>(2) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section 4.3-2:</p> <p>(i) Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed, (ii) Maintain the floodproofing certifications required in Section 4.1-2(3).</p> <p>(3) Maintain for public inspection all records pertaining to the provision of this ordinance.</p>				<p>✓ 44 CFR 60.3(b)(5)(i) 14,15,030(3)</p> <p>✓ 44 CFR 60.3(b)(5)(ii)</p> <p>44 CFR 60.3(b)(5)(iii)</p>
6	<p>MODEL ORDINANCE 4.3-4(1) ALTERATION OF WATERCOURSES</p> <p>Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.</p>				<p>✓ 44 CFR 60.3(b)(6)</p>
7	<p>MODEL ORDINANCE 4.3-4(2) ALTERATION OF WATERCOURSES</p> <p>Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.</p>				<p>✓ 44 CFR 60.3(b)(6) 14,15,030(4)</p>
8	<p>MODEL ORDINANCE 4.3-5 INTERPRETATION OF FIRM BOUNDARIES</p> <p>Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provide in Section 4.4.</p> <p><i>* If you do not include Section 4.4 (VARIANCE PROCEDURE), end the above sentence after the word "interpretation" and add the following sentence: "Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and</i></p>				<p>✓ OPTIONAL PROVISION</p>

	<i>Regulations of the National Flood Insurance Program (44 CFR 59-76)."</i>					
9A	MODEL ORDINANCE 5.1-1(1) ANCHORING All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.				✓	14.15.040(1) 44 CFR 60.3(a)(3)(i)
9B	MODEL ORDINANCE 5.1-1(2) ANCHORING All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. <i>For more detailed information, refer to guidebook, FEMA P-85, "Protecting Manufactured Homes from Floods and Other Hazards."</i>				✓	44 CFR 60.3(b)(8)
9D	MODEL ORDINANCE 5.1-2(1) CONSTRUCTION MATERIALS AND METHODS All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.				✓	44 CFR 60.3(a)(3)(ii) 14.15.040(2)
9E	MODEL ORDINANCE 5.1-2(2) CONSTRUCTION MATERIALS AND METHODS All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.				✓	44 CFR 60.3(a)(3)(iii)
9F	MODEL ORDINANCE 5.1-2(3) CONSTRUCTION MATERIALS AND METHODS Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.				✓	44 CFR 60.3(a)(3)(iv)
10	MODEL ORDINANCE 5.1-3(1), (2), (3), AND (4) UTILITIES (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems; (2) Water wells shall be located on high ground that is not in the floodway* (3) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and (4) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. * FEMA endorses the more restrictive WA floodway standard identified in WAC 173-160-171				✓	14.15.040(3) 44 CFR 60.3(a)(5) WAC 173-160-171 44 CFR 60.3(a)(6)(i) 44CFR 60.3(a)(6)(ii)

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OK...(✓) No...(N) Other...(X) and explain

Revised September 2004

11	<p>MODEL ORDINANCE 5.1-4 SUBDIVISION PROPOSALS</p> <p>(1) All subdivision proposals shall be consistent with the need to minimize flood damage;</p> <p>(2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;</p> <p>(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;</p> <p>(4) Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).</p>				<p>14.15.040 (4)</p> <p>✓ 44 CFR 60.3(a)(4)(b)(3)</p> <p>44 CFR 60.3(a)(4)(i)</p> <p>44 CFR 60.3(a)(4)(iii)</p> <p>44 CFR 60.3(b)(3)</p>
12	<p>MODEL ORDINANCE 5.1-5 REVIEW OF BUILDING PERMITS</p> <p>Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be <i>reasonably safe from flooding</i>. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.</p>				<p>✓ 44 CFR 60.3(a)(3)</p> <p>14.15.040 (5)</p>
13	<p>MODEL ORDINANCE 5.2 SPECIFIC STANDARDS</p> <p>In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following provisions are required:</p> <p><i>* Additional standards were clarified in FEMA Technical Bulletin 11-01, "Crawlspace Construction for Buildings Located in Special Flood Hazard Areas"</i></p>				<p>✓ 44 CFR 60.3(c)(1)</p> <p>OPTIONAL PROVISIONS</p>
14	<p>MODEL ORDINANCE 5.2-1 RESIDENTIAL CONSTRUCTION</p> <p>(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more* above the base flood elevation (BFE).</p> <p><i>* Minimum standards require the lowest floor to be elevated "to or above" the BFE; however, adding an additional foot of freeboard increases safety and reduces insurance premiums and its adoption is strongly encouraged by FEMA. This note applies throughout the model ordinance.</i></p> <p>(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to</p>				<p>✓ 14.15.040 (B)</p> <p>44 CFR 60.3(c)(2)</p> <p>one foot above (not "more")</p> <p>44 CFR 60.3(c)(5)</p>

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OK...(✓) No...(N) Other...(X) and explain

	<p>automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:</p> <p>(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.</p> <p>(ii) The bottom of all openings shall be no higher than one foot above grade.</p> <p>(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.</p>				<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
15	<p>MODEL ORDINANCE 5.2-2 NONRESIDENTIAL CONSTRUCTION</p> <p>New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more* above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:</p> <p>(1) Be floodproofed so that below one foot or more above the base flood level of the structure is watertight with walls substantially impermeable to the passage of water;</p> <p>(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads including the effects of buoyancy</p> <p>(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);</p> <p>(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2);</p> <p>(5) Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below).</p>				<p>14.15.040(B)(2)</p> <p>✓ 44 CFR 60.3(c)(3)(i) not "more"</p> <p>✓ 44 CFR 60.3(c)(3)(ii)</p> <p>✓</p> <p>✓ 44 CFR 60.3(c)(4)(i)</p> <p>✓</p> <p>✓ 44 CFR 60.3(c)(5)</p> <p>✓ This bullet is not required per 44 CFR but it is recommended</p>
16	<p>MODEL ORDINANCE 5.2-3 MANUFACTURED HOMES</p> <p>(1) All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement*.</p> <p>* If this phrase is applied to all manufactured homes in the floodplain, then the remaining verbiage is not necessary to</p>				<p>14.15.040(B)(3)</p> <p>✓ 44 CFR 60.3(c)(6)</p> <p>✓ different language, appears acceptable</p>

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OK...(✓) No...(N) Other...(X) and explain

	<p>adopt.</p> <p>This applies to manufactured homes:</p> <p>(i) Outside of a manufactured home park or subdivision,</p> <p>(ii) In a new manufactured home park or subdivision,</p> <p>(iii) In an expansion to an existing manufactured home park or subdivision, or</p> <p>(iv) In an existing manufactured home park or subdivision on a site which a manufactured home has incurred "substantial damage" as the result of a flood; and</p> <p>(2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:</p> <p>(i) The lowest floor of the manufactured home is elevated one foot or more* above the base flood elevation, or</p> <p>(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.</p>			<p>✓ 44 CFR 60.3(c)(6)(i)</p> <p>✓ 44 CFR 60.3(c)(6)(ii)</p> <p>✓ 44 CFR 60.3(c)(6)(iii)</p> <p>✓ 44 CFR 60.3(c)(6)(iv)</p> <p>✓ 44 CFR 60.3(12)</p> <p>✓ 44 CFR 60.3(c)(12)(i)</p> <p>✓ 44 CFR 60.3(c)(12)(ii)</p>
17	<p>MODEL ORDINANCE 5-2-4</p> <p>RECREATIONAL VEHICLES</p> <p>Recreational vehicles placed on sites are required to either:</p> <p>(i) Be on the site for fewer than 180 consecutive days, (or)</p> <p>(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or</p> <p>(iii) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.</p>			<p>✓ 44 CFR 60.3(c)(14)(i-iii)</p>
18	<p>MODEL ORDINANCE 5.3</p> <p>AE AND A1-30 ZONES WITH BASE FLOOD ELEVATIONS BUT NO FLOODWAYS</p> <p>In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.</p>		X	<p>44.15.040 (E)</p> <p>44 CFR 60.3(c)(10)</p> <p>lowest floor above highest adjacent grade</p> <p>different wording</p>
19	<p>MODEL ORDINANCE 5.4</p> <p>FLOODWAYS</p> <p>Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:</p> <p>(1) Prohibit encroachments, including fill, new construction,</p>			<p>✓ 44.15.040 (C)</p> <p>44 CFR 60.3(d)</p>

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OK...(√) No...(N) Other...(X) and explain

Revised September 2004

<p>substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.</p> <p>(2) Construction or reconstruction of residential structures is prohibited within designated floodways*, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent. * FEMA endorses the more restrictive WA floodway standard adopted in WAC 173-158-070.</p> <p>(3) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.</p>			<p>44 CFR 60.3(d)(3)</p> <p>WAC 173-158-070</p>
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20	<p>MODEL ORDINANCE 5.7 CRITICAL FACILITY</p> <p>Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.</p>		<p><i>OPTIONAL PROVISION</i></p> <p>✓ 14.15.040 (G)</p>
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**APPENDIX A: COMMUNITIES WITH SHALLOW FLOODING
IDENTIFIED AS AO ZONES ON FLOOD INSURANCE RATE MAPS (FIRM)**

CRITERIA & MODEL ORDINANCE REFERENCE	A	B	C	D	E	FEDERAL REGULATION REFERENCE
<p>21 MODEL ORDINANCE 5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)</p> <p>Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:</p> <p>(1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure, one foot or more above* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).</p> <p>(2) New construction and substantial improvements of nonresidential structures within AO zones shall either:</p> <p>(i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or</p> <p>(ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(3).</p> <p>(3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.</p> <p>(4) Recreational vehicles placed on sites within AO Zones on the community's FIRM either:</p> <p>(i) Be on the site for fewer than 180 consecutive days, or</p> <p>(ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or</p> <p>(iii) Meet the requirements of 5.5(1) and 5.5(3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).</p>					<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>14.15.040(E)</p> <p>OPTIONAL PROVISION</p> <p>44 CFR 60.3(c)(7)</p> <p>44 CFR 60.3(c)(8)</p> <p>44 CFR 60.3(c)(8)(ii)</p> <p>44 CFR 60.3(c)(11)</p>

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OK...(✓) No...(N) Other...(X) and explain

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**APPENDIX B: COMMUNITIES WITH COASTAL VELOCITY (V ZONES)
PRESENT ON FIRM AND AN ORDINANCE COMPLIANT WITH 44 60.3(E)**

CRITERIA & MODEL ORDINANCE REFERENCE	E	FEDERAL REGULATION REFERENCE
<p>22 MODEL ORDINANCE 5.6 COASTAL HIGH HAZARD AREAS</p> <p>Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as Zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:</p> <p>1) All new construction and substantial improvements in Zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:</p> <p>i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level; and</p> <p>ii) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).</p> <p>A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 5.6(1)(i) and (ii).</p> <p>2) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement. The (<i>Local Administrator</i>) shall maintain a record of all such information.</p> <p>3) All new construction within Zones V1-30, VE, and V on the community's FIRM shall be located landward of the reach of mean high tide.</p> <p>4) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>14,15,040 (F) OPTIONAL PROVISION</p> <p>44 CFR 60.3(e)(4)</p> <p>44 CFR 60.3(e)(4)(i)</p> <p>44 CFR 60.3(e)(4)(ii)</p> <p>44CFR 60.3(e)(2)</p> <p>44 CFR 60.3(e)(3)</p> <p>44 CFR 60.3(e)(5)</p> <p>44 CFR 60.3(e)(5)(i)</p>

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OK...(√) No...(N) Other...(X) and explain

Revised September 2004

<p>more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:</p> <p>i) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and</p> <p>ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).</p> <p>If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.</p> <p>5) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM.</p> <p>6) Prohibit man-made alteration of sand dunes within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.</p> <p>7) All manufactured homes to be placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites:</p> <p>i) Outside of a manufactured home park or subdivision,</p> <p>ii) In a new manufactured home park or subdivision,</p> <p>iii) In an expansion to an existing manufactured home park or subdivision, or</p> <p>iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;</p> <p>shall meet the standards of paragraphs 5.6(1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM shall meet the requirements of Section 5.2-3(2).</p> <p>8) Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either:</p> <p>i) Be on the site for fewer than 180 consecutive days, or</p> <p>ii) Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or</p> <p>iii) Meet the requirements of Section 4.1-1(<i>development permit Required</i>) and paragraphs 5.6(1) through (6) of this section.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓ 44 CFR 60.3(e)(6)</p> <p>✓ 44 CFR 60.3(e)(7)</p> <p>✓ 44 CFR 60.3(e)(8)(i-iv)</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓ 44 CFR 60.3(e)(9)(i-iii)</p> <p>✓</p> <p>✓</p> <p>✓</p>
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OK...(✓) No...(N) Other...(X) and explain

Revised September 2004

DEFINITIONS

Definitions
14, 15, 010

CRITERIA & MODEL ORDINANCE REFERENCE COMMUNITY: _____	INCLUDED IN ORD:		FEDERAL REGULATION REFERENCE 44 CFR 59.1
	Yes	No	
23		X	has "administrative appeal"
APPEAL: a request for a review of the interpretation of any provision of this ordinance or a request for a variance.			
AREA OF SHALLOW FLOODING: designated as AO, or AH Zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one to three feet above the natural ground; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow; AH indicates ponding, and is shown with standard base flood elevations.	✓		variation, shorter appears acceptable
AREA OF SPECIAL FLOOD HAZARD: is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.	✓		
BASE FLOOD: the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood"). Designated on Flood Insurance Rate Maps by the letters A or V.	✓		
* BASEMENT: means any area of the building having its floor sub-grade (below ground level) on all sides.	✓		Required
BREAKAWAY WALL: means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.	✓		
COASTAL HIGH HAZARD AREA: means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-30, VE or V.	✓		
CRITICAL FACILITY: means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.	✓		
* DEVELOPMENT: means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.	✓		Required
** ELEVATION CERTIFICATE: means the official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper		X	Optional insurance provision

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OK...(✓) No...(N) Other...(X) and explain

<p>insurance premium rate with Section B completed by Community Officials.</p>			
<p>ELEVATED BUILDING: means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.</p>	✓		
<p>EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.</p>	✓		
<p>EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).</p>	✓		
<p>FLOOD or FLOODING: means a general and temporary condition of partial or complete inundation of normally dry land areas from:</p> <ol style="list-style-type: none"> 1) The overflow of inland or tidal waters and/or 2) The unusual and rapid accumulation or runoff of surface waters from any source. 	✓		
<p>FLOOD INSURANCE RATE MAP (FIRM): means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.</p>	✓		
<p>FLOOD INSURANCE STUDY (FIS): means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps, and the water surface elevation of the base flood.</p>	✓		
<p>FLOODWAY: means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.</p>	✓		
<p>** INCREASED COST OF COMPLIANCE: A flood insurance claim payment up to \$30,000 directly to a property owner for the cost to comply with floodplain management regulations after a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single instance of "substantial damage" or as a result of a "cumulative substantial damage." (more information can be found in FEMA ICC Manual 301)</p>		X	Optional insurance provision
<p>* LOWEST FLOOR: means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement</p>	✓		<p># 20/ Required has added specific language</p>

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<p>area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1(2), (i.e. provided there are adequate flood ventilation openings).</p> <p>MANUFACTURED HOME: means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."</p> <p>MANUFACTURED HOME PARK OR SUBDIVISION: means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.</p> <p>NEW CONSTRUCTION: means structures for which the "start of construction" commenced on or after the effective date of this ordinance.</p> <p>NEW MANUFACTURED HOME PARK OR SUBDIVISION: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.</p> <p>RECREATIONAL VEHICLE: means a vehicle,</p> <ol style="list-style-type: none"> 1) Built on a single chassis; 2) 400 square feet or less when measured at the largest horizontal projection; 3) Designed to be self-propelled or permanently towable by a light duty truck; and 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. <p>START OF CONSTRUCTION: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>X</p> <p>✓</p> <p>✓</p>	<p>variation, affects acceptance through curiously worded exclusion of rv parks subdivision (?)</p> <p>not specific per the model, more general language</p>
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<p>the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.</p> <p>STRUCTURE: a walled and roofed building, including a gas or liquid storage tank that is principally above ground.</p> <p>* SUBSTANTIAL DAMAGE: means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.</p> <p>* SUBSTANTIAL IMPROVEMENT: means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:</p> <ol style="list-style-type: none"> 1) Before the improvement or repair is started; or 2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. <p>The term can exclude:</p> <ol style="list-style-type: none"> 1) Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or 2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places. <p>VARIANCE: means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.</p> <p>WATER DEPENDENT: means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>		<p><i>more specified than model</i></p> <p>Required</p> <p>Required</p>
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OK...(✓) No...(N) Other...(X) and explain

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Adopt a resolution accepting from UP for Arts the donation of a grand piano to be located in the Atrium of the University Place Library/Civic Building.

Agenda No: 12
Dept. Origin: City Attorney
For Agenda of: January 17, 2017
Exhibits: Resolution

Concurred by Mayor: _____
Approved by City Manager: _____
Approved as to Form by City Atty.: _____
Approved by Finance Director: _____
Approved by Dept. Head: _____

Expenditure Required: \$0.00	Amount Budgeted: \$0.00	Appropriation Required: \$0.00
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SUMMARY / POLICY ISSUES

UP for Arts is a non-profit, 501C3 community organization formed in 2000 to bring public art to University Place. UP for Arts is a City Partner that has worked with the City to solicit, fund and install public art in public places throughout the City to beautify the City and promote the enjoyment of public art, including the art installation in the University Place Library/Civic Building Atrium.

Over the last three years, UP for Arts, on its own initiative, has raised \$20,000 to acquire a grand piano to be donated to the City and located in the Library/Civic Building Atrium to enhance musical performances in that venue. At this time the City has no specific data regarding the costs of grand piano ownership, but such data will be developed and funding for that purpose set within the City's normal budget process.

The Pierce County Rural Library District shares ownership of the Atrium with the City, and has not opposed the addition of the grand piano to the Library/Civic Building Atrium.

Upon acceptance by the City Council, all ownership and control of the piano, as well as all costs of maintenance, insurance and any liability arising from the grand piano will be borne solely by the City, and the City will hold the Pierce County Rural Library District as co-owner of the Atrium harmless from any costs or claims arising out of the grand piano.

RECOMMENDATION / MOTION

MOVE TO: Adopt a resolution accepting from UP for Arts the donation of a grand piano to be located in the Atrium of the University Place Library/Civic Building.

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE
ACCEPTING THE DONATION OF A GRAND PIANO TO BE LOCATED IN THE ATRIUM
OF THE UNIVERSITY PLACE LIBRARY/CIVIC BUILDING**

WHEREAS, UP for Arts is a non-profit, 501C3 community organization formed in 2000 to bring public art to University Place; and

WHEREAS, UP for Arts is a City Partner that has worked with the City to solicit, fund and install public art in public places throughout the City to beautify the City and promote the enjoyment of public art, including the art installation in the University Place Library/Civic Building Atrium; and

WHEREAS, over the last three years, UP for Arts, on its own initiative, has raised \$20,000 to acquire a grand piano to be donated to the City and located in the Library/Civic Building Atrium to enhance musical performances in that venue; and

WHEREAS, at this time the City has no specific data regarding the costs of grand piano ownership, but such data will be developed and funding for that purpose set within the City's normal budget process; and

WHEREAS, the Pierce County Rural Library District shares ownership of the Atrium with the City, and has not opposed the addition of the grand piano to the Library/Civic Building Atrium;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON:

Section 1. Incorporation of Recitals. The recitals are hereby incorporated herein as if set forth in full.

Section 2. Acceptance of UP for Arts Donation of Grand Piano. The City Council of the City of University Place hereby accepts from UP for Arts the unconditional donation of a grand piano.

Section 3. Ownership and Maintenance of Grand Piano. Upon acceptance by the City Council, all ownership and control of the piano, as well as all costs of maintenance, insurance and any liability arising from the grand piano will be borne solely by the City, and the City will hold the Pierce County Rural Library District as co-owner of the Atrium harmless from any costs or claims arising out of the grand piano.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL ON JANUARY 17, 2017.

Javier H. Figueroa, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Steve Victor, City Attorney

Legislative Advisory Commissions
Third Study Session

I. General City Council Objectives for City Council Legislative Policy Advisory Commissions:

1. Standing or ad-hoc legislative policy advisory commissions provide citizen feedback to the City Council on the legislative policy aspects of planning, and other City issues.

2. All work of standing and ad-hoc legislative policy advisory commissions should be assigned by, or approved by, at least a majority of the City Council by resolution before City resources (administrative staff work or public funds) are utilized.

3. The Resolutions assigning, or approving, legislative advisory commission work should provide commissions clear tasks and direction, and establish appropriate processes and procedures for the work.

4. All standing and activated ad-hoc legislative policy advisory commissions should provide periodic reports to the City Council on progress in completing their Council-approved work, and any relevant community feedback related to that work.

5. Standing or ad-hoc legislative advisory commissions do not perform or duplicate the work of professional City staff or consultants, and are not volunteer labor. They are advisers to the City Council on legislative policy issues.

II. Review of Five (5) Potential Legislative Advisory Commission Structures from January 3 2017 Second Study:

1. Retain the standing Planning Commission and Establish one new seven (7) member Community Legislative Policy Advisory Committee which replaces all other existing Commissions within a new ordinance. Members would be appointed, but would not meet unless tasked with work by City Council resolution. Committee work would encompass public safety, economic development, parks and any other legislative topic on which the Council desires the Committee's advice.

2. Retain the standing Planning Commission and appoint ad-hoc legislative policy advisory committees for particular topics as deemed necessary or desirable by the Council from time to time.

3. Retain the standing Planning Commission and transition the existing Public Safety, Economic Development, and Parks legislative advisory commissions from standing committees to on-call committees that may be activated as-needed by City Council resolution.

4. Establish two standing Planning Commissions and retain standing Public Safety, Economic Development, and Parks Commissions, all to be comprised of five (5) members within a new ordinance.

5. Retain all four (4) standing legislative policy advisory commissions (Planning, Public Safety, Economic Development, and Parks) largely in their current form, within a new ordinance.