

ORDINANCE NO. 559

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE AMENDING TITLE 19 OF THE UNIVERSITY PLACE MUNICIPAL CODE "ZONING", BY AMENDING CHAPTER 19.05 AUTHORITY, PURPOSE, MINIMUM REQUIREMENTS, INTERPRETATION, USER'S GUIDE; CHAPTER 19.20 ZONES, MAP DESIGNATIONS, INTERPRETATION OF BOUNDARIES; CHAPTER 19.25 USES AND ZONE CLASSIFICATION TABLES; CHAPTER 19.45 DENSITY AND DIMENSION; CHAPTER 19.50 DESIGN STANDARDS FOR MU, MU-O AND C ZONES, CHAPTER 19.60 OFF-STREET PARKING REQUIREMENTS; CHAPTER 19.65 LANDSCAPING; CHAPTER 19.70 GENERAL DEVELOPMENT STANDARDS; CHAPTER 19.85 DISCRETIONARY LAND USE PERMITS; AND CHAPTER 19.90 AMENDMENTS; AND BY ADDING NEW CHAPTER 19.53 DESIGN STANDARDS AND GUIDELINES FOR SMALL LOT AND MULTIFAMILY DEVELOPMENT; AND CHAPTER 19.54 DESIGN STANDARDS AND GUIDELINES FOR STREETScape ELEMENTS**

WHEREAS, the City Council created and appointed the Planning Commission to advise the City Council on growth management and land use planning, and to hold hearings and make recommendations to the City Council on amendments to the development regulations of the City; and

WHEREAS, in December 2007, the Washington State Department of Community, Trade and Economic Development awarded the City a Competitive GMA Planning Grant to assist in the preparation and adoption of housing choice code amendments that would help the City respond to regional planning directives and more effectively implement existing comprehensive plan goals, policies, and objectives; and

WHEREAS, during 2008 and portions of 2009, the Planning Commission held a series of 39 public meetings and workshops to solicit public comment, formulate strategies for addressing housing-related challenges in the community, and draft development regulation amendments, residential design guidelines and streetscape standards and guidelines; and

WHEREAS, on March 13, 2009, copies of the draft amendments, environmental checklist and SEPA Determination of Nonsignificance were routed to city departments, the Cities of Lakewood, Tacoma and Fircrest, the Town of Steilacoom, Pierce County, and Department of Ecology for review with a comment deadline on March 27, 2009; and

WHEREAS, no comments on the environmental checklist or SEPA threshold determination, or appeals of the SEPA threshold determination, were received prior to the March 27, 2009 deadline; and

WHEREAS, the City submitted a *Notification for 60-Day Review of Development Regulations* to the Washington State Department of Community, Trade and Economic Development on March 13, 2009; and

WHEREAS, the City has not received any formal comments in response to the *Notification for 60-Day Review of Development Regulations*; and

WHEREAS, on March 18, 2009, the Planning Commission held a public hearing on the draft amendments, considered testimony presented at this hearing, and continued its review of the matter to subsequent public meetings on April 15, 2009, May 6, 2009, May 20, 2009, and June 3, 2009 to accommodate additional comment; and

WHEREAS, after considering minor revisions to the draft amendments and additional public input at its June 17, 2009 meeting, the Planning Commission found that the proposed amendments would be

consistent with the goals, objectives and policies of the Comprehensive Plan and voted unanimously to recommend the housing choice amendments to the City Council for adoption; and

WHEREAS, the City Council reviewed the recommendations of the Planning Commission at a public study session on July 20, 2009; and

WHEREAS, on September 16, 2009 the Planning Commission, after considering minor revisions to the previously recommended amendments pertaining to Design Standards and Guidelines for Small Lot and Multifamily Development, Design Standards and Guidelines for Streetscape Elements, and supporting Title 19 Zoning amendments, voted unanimously to recommend the revised housing choice amendments to the City Council for adoption; and

WHEREAS, the City Council conducted a public review and considered public comment on the Planning Commission-recommended housing choice amendments on September 28, 2009; and

WHEREAS, the City Council finds that these housing choice amendments and provisions would be consistent with the goals, objectives and policies of the Comprehensive Plan, as outlined below:

Policy HS1A: Use zoning regulations to help support the stability of established residential neighborhoods;

GOAL HS2: Achieve a mix of housing types to meet the needs of diverse households at various income levels;

Policy HS2A: Maintain and enhance the affordable housing that already exists;

Policy HS2B: Ensure that codes and development regulations do not create barriers to affordable housing opportunities;

Policy HS2C: Promote home ownership opportunities for people at various income levels;

Policy HS2D: Encourage residential development in areas which are already adequately served by utilities and transportation;

Policy HS2E: Encourage increased density residential development in mixed-use and town center zones, subject to appropriate development and design standards. Discourage new single-family development in commercial areas to promote more effective use of commercial and mixed-uses;

Policy HS2G: Permit accessory dwelling units in conjunction with single-family structures;

Policy LU1B: Create a well-balanced, well-organized combination of land uses, which includes residential, commercial, industrial, recreational, public use, and open space. Make protection and preservation of residential neighborhoods a priority;

Policy LU1G: Plan for a gradual transition to a less automobile intensive transportation system;

Policy LU2A: Preserve the residential character of single-family neighborhoods;

Policy LU2B: Locate greater density residential development in the town center and maintain moderate density residential development in the existing multifamily and mixed-use areas along or close to major arterial and transit routes;

Policy LU2D: Ensure that multifamily residential development is designed and scaled in a manner that is compatible with abutting single-family neighborhoods;

Policy LU2E: Provide for a range of residential densities based on existing development patterns, community needs and values, proximity to facilities and services, immediate surrounding densities, and protection of natural environmental features;

Policy TR1A: Develop and adopt street design standards that will reduce street maintenance requirements, increase safety and improve street aesthetics;

Policy TR1B: Classify streets and arterials to reflect their desired use. Classification should be based on present and future traffic volumes and the type of land uses along the streets;

Policy TR2A: Require sidewalk facilities on all public streets;

Policy TR2C: Encourage installation of pedestrian pathways in new and existing developments;

Policy TR4A: Require through connections in new developments;

Policy EN1I: Require new developments to minimize areas of impervious surface and restrict runoff from new developments to pre-development rates;

Policy EN3I: Encourage landscaping with a mix of plants and trees that attract wildlife, are drought-resistant, and can achieve healthy growth in the Puget Sound environment; and

WHEREAS, the City Council finds that the proposed amendments, as recommended by the Planning Commission, will be in the best interests of the citizens and property owners of the city, in that the proposal will implement existing comprehensive plan goals, objectives and policies relating to land use, housing, transportation and environmental management; and

WHEREAS, the City Council finds that the proposed amendments, as recommended by the Planning Commission, will enhance the public health, safety, comfort, convenience or general welfare by allowing a greater choice of high quality housing to be constructed within the community at appropriate locations while ensuring that public streetscape, park and open space facilities are provided and potential impacts on surrounding properties are mitigated; NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Title 19 Zoning -- Chapter 19.05 - Authority, Purpose, Minimum Requirements, Interpretation, User's Guide. - Section 19.05.060 of the University Place Municipal Code is hereby amended as set forth in Exhibit "A" attached.

Section 2. Title 19 Zoning -- Chapter 19.20 -- Zones, Map Designations, Interpretation of Boundaries. - Section 19.20.035 of the University Place Municipal Code is hereby amended as set forth in Exhibit "A" attached.

Section 3. Title 19 Zoning -- Chapter 19.25 -- Use and Zone Classification Tables. - Section 19.25.110 and Section 19.25.120 of the University Place Municipal Code are hereby amended as set forth in Exhibit "A" attached.

Section 4. Title 19 Zoning -- Chapter 19.45 -- Density and Dimension. - Section 19.45.040, Section 19.45.060, Section 19.45.070, Section 19.45.080, Section 19.45.090, and Section 19.45.100 of the University Place Municipal Code are hereby amended as set forth in Exhibit "A" attached.

Section 5. Title 19 Zoning -- Chapter 19.50 - Design Standards for Mixed Use, Mixed Use -- Office, and Commercial Zones. - Section 19.50.040, Section 19.50.050, and Section 19.50.070 of the University Place Municipal Code are hereby amended as set forth in Exhibit "A" attached.

Section 6. Title 19 Zoning – a new Chapter 19.53 – Design Standards and Guidelines for Small Lot and Multifamily Development is hereby adopted and added to the University Place Municipal Code as set forth in Exhibit “A” attached.

Section 7. Title 19 Zoning – a new Chapter 19.54 – Design Standards and Guidelines for Streetscape Elements is hereby adopted and added to the University Place Municipal Code as set forth in Exhibit “A” attached.

Section 8. Title 19 Zoning--Chapter 19.60 Off-Street Parking Requirements. - Section 19.60.120 and Section 19.60.140 of the University Place Municipal Code are hereby amended as set forth in Exhibit “A” attached.

Section 9. Title 19 Zoning -- Chapter 19.65 – Landscaping/Trees. - Section 19.65.095, Section 19.65.110, Section 19.65.120, Section 19.65.140, and Section 19.65.150 of the University Place Municipal Code are hereby amended, and new Section 19.65.125 is hereby adopted and added to Chapter 19.65 of the University Place Municipal Code, as set forth in Exhibit “A” attached.

Section 10. Title 19 Zoning -- Chapter 19.70 – General Development Standards. - Section 19.70.010 of the University Place Municipal Code is hereby amended as set forth in Exhibit “A” attached.

Section 11. Title 19 Zoning -- Chapter 19.85 – Discretionary Land Use Permits. - Section 19.95.040 and Section 19.85.050 of the University Place Municipal Code are hereby amended, and new Section 19.85.060, Section 19.85.070, Section 19.85.080, Section 19.85.090, and Section 19.85.100 are hereby adopted and added to Chapter 19.85 of the University Place Municipal Code, as set forth in Exhibit “A” attached.

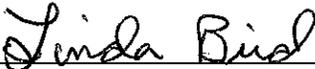
Section 12. Title 19 Zoning -- Chapter 19.90 – Amendments. - Section 19.90.010, Section 19.90.020, Section 19.90.030 and Section 19.90.040 of the University Place Municipal Code are hereby amended as set forth in Exhibit “A” attached.

Section 13. Copy to be Available. One copy of this ordinance shall be available in the office of the City Clerk for use and examination by the public.

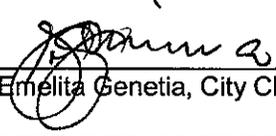
Section 14. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 15. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.

**PASSED BY THE CITY COUNCIL ON SEPTEMBER 28, 2009.**

  
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Linda Bird, Mayor

**ATTEST:**

  
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Emelita Genetia, City Clerk

**APPROVED AS TO FORM:**

  
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Janean Parker, City Attorney

Date of Publication: 09/30/09  
Effective Date: 10/05/09