

1. 6:30 P.M. City Council Regular Meeting Materials

Documents:

[06-02-25 RM.PDF](#)

[AGENDA 06-02-25.PDF](#)

**UNIVERSITY PLACE CITY COUNCIL
Regular Council Meeting
Monday, June 2, 2025, 6:30 p.m.**



Note: Times are approximate and subject to change.

PUBLIC NOTICE

The University Place City Council will hold its scheduled meetings to ensure essential city functions continue. Members of the public can attend and participate in a Council meeting in the following manners:

- In-person at the City Council Chambers at 3609 Market Place West, Third Floor;
- Watch live broadcast on University Place Television, Lightcurve (formerly Rainier Connect) Channel 12 or Comcast Channel 21 (SD) or 321 (HD);
- Watch live broadcast on the City's YouTube channel www.YouTube.com/UniversityPlaceTV;
- Watch live broadcast on the City's website www.cityofup.com/398/City-Council-Meetings;
- Listen by telephone by dialing 1 509-342-7253 United States, Spokane (Toll), Conference ID: 537 603 454#; or
- Attend virtually by clicking this hyper-link: [Click here to join the meeting](#).

How to participate in Public Comment and public testimony on Public Hearings:

- In-person at the City Council Chambers.
- Written comments are accepted via email. Comments should be sent to the City Clerk at Egenetia@cityofup.com. Comments received up to one hour (i.e., 5:30 p.m.) before the meeting will be provided to the City Council electronically.
- Participation by telephone. Call the telephone number listed above and enter the Conference ID number. Once the Mayor calls for public comment, use the "Raise Hand" feature by pressing *5 on your phone. Your name or the last four digits of your phone number will be called out when it is your turn to speak. Press *6 to un-mute yourself to speak.
- Participation by computer. Join the meeting virtually by clicking on the hyper-link above. Turn off your camera and microphone before you press "Join Now." Once the Mayor calls for public comment, use the "Raise Hand" icon on the Microsoft Teams toolbar located at the top of your screen. Your screen name will be called out when it is your turn to speak. Turn on your camera and microphone (icon located at the top of your screen) to unmute yourself. Once you are done, turn off your camera and microphone.

In the event of technical difficulties, remote public participation may be limited.

AGENDA

- 6:30 pm **1. CALL REGULAR MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE – Councilmember Boykin**
- 4. APPROVAL OF AGENDA**
- 6:35 pm **5. PUBLIC COMMENTS**
- 6:40 pm **6A. – CONSENT AGENDA**
- 6C. 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 from 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. Approve the minutes of the 05/19/25 Council meeting as submitted.**
- B. Receive and File: Payroll for period ending 05/15/25; and Claims dated 05/15/25.**
- C. Adopt a resolution appointing voting delegates to the 2025 Association of Washington Cities' Annual Business Meeting.**

APPROVAL OF CONSENT AGENDA

**CITY OF UNIVERSITY PLACE
DRAFT MINUTES
Regular Meeting of the City Council
Monday, May 19, 2025**

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 Boykin	Present
Councilmember Worthington	Present
Councilmember McCluskey	Present
Councilmember Flemming	Present
Councilmember Grassi	Present
Mayor Pro Tem Wood	Excused
Mayor Figueroa	Present

Staff Present: City Manager Sugg, City Attorney Kaser, Public Works Director Ecklund, Police Chief Burke, Finance Director Blaisdell, and City Clerk Genetia.

3. PLEDGE OF ALLEGIANCE

Councilmember Grassi led the Council in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

MOTION: By Councilmember Worthington, seconded by Councilmember McCluskey, to approve the agenda.

The motion carried.

5. PUBLIC COMMENTS – None.

6. CONSENT AGENDA

MOTION: By Councilmember Worthington, seconded by Councilmember McCluskey, to approve the Consent Agenda as follows:

- A.** Approve the minutes of the May 5, 2025 Council meeting as submitted.
- B.** Confirm Nisha Smith's appointment to the Economic Development Advisory Commission for a term ending January 31, 2029.
- C.** Authorize the purchase of easements in the amount of \$68,800.00 from Fircrest Golf Club, over a portion of parcel #0220113001 for the 67th Phase I project and authorize the City Manager to execute all necessary documents.

The motion carried.

7. CITY MANAGER AND COUNCIL COMMENTS/REPORTS

City Manager Sugg announced that the lunch with the City Commissioners will take place on Thursday at 11:30 a.m. in the Council Chambers. The event will include all Commissioners, Council members, and senior staff. The focus of the lunch will be on the Commissioners' work plans and how they align with the Council's goals and will provide an opportunity for a good exchange of ideas and discussions on the progress and future plans.

Councilmember Boykin expressed appreciation for Nisha Smith's appointment to the Economic Development Commission and highlighted the value of commissions in contributing to the City. He also reflected on the Pierce County Memorial Service for law enforcement and mentioned an upcoming opportunity to celebrate small cities through the National League of Cities.

Councilmember McCluskey reported on the Pierce County Regional Council meeting where County Executive Mello provided an overview of Pierce County's strategic plan which outlines goals for the County from 2026 to 2027; highlighted the challenges in navigating federal funding streams; and shared updates on the planning for the 2026 World Cup. She reported attending the UP for Art piano performance event and noted the community's interest in having more events and the potential formation of an arts commission. Councilmember McCluskey discussed the Day Island sewer project, including public involvement and the upcoming residential outreach meeting. Lastly, she emphasized the importance of Memorial Day weekend in honoring the memories of those who served the country.

Councilmember Worthington wished everyone a happy Memorial Day and an opportunity to enjoy family and think about those connections along with those that have served us.

Councilmember Flemming reiterated on the quality of candidates applying for the commission vacancy. He also pointed out that Memorial Day is not just a holiday but a time to remember and really give thanks to those men and women who serve, including first responders, who give the ultimate sacrifice to ensure that all stay safe and enjoy the freedom of this nation.

Councilmember Grassi expressed her thoughts for a wonderful Memorial Day weekend and extended her gratitude to those that have given the ultimate sacrifice. She reported attending the Sheriff's Memorial Services and paid tribute to families of fallen heroes. She invited the community to take part in the upcoming Duck Daze parade event. Councilmember Grassi expressed excitement about the capital improvements being made in the City and thanked residents for their patience during construction. In addition, she highlighted the talent and willingness to serve among the candidates for commissioner positions and thanked them for their contribution.

Mayor Figueroa reported on his trip to Washington, DC where he visited Congresswoman Strickland and discussed federal grants and appropriations for City projects. He had an opportunity to speak on the panel where he stressed the need to keep federal grants as a priority in discussion with public officials. He indicated receiving an invitation from Pierce County Executive Mello for a 10-year celebration of the 2015 U.S. Open at Chambers Bay and will ensure the invitation is passed to the rest of the Council. Lastly, he discussed the complexity of the Day Island sewer situation and suggested having a detailed report to better understand the issue.

STUDY SESSION

8. 2025 CAPITAL IMPROVEMENT PROJECT UPDATE

Public Works and Engineering Director Ecklund provided an update on the 2025 Capital Improvement Projects, highlighting 16 active construction projects and 11 projects in design or planning stages. He detailed the funding sources for the projects, including over \$500,000 from the county, over \$6 million from the state, and over \$26 million from the federal government. He noted that the City's portion is around 20%. Director Ecklund reported that the 67th Phase II project is 90% complete, with minor items and power cabinet installations remaining, expected to be completed by August; that the 35th Phase II project is progressing well, with completion anticipated around September; and that the 36th and Grandview roundabout project will start in mid-June, addressing site distance issues and improving safety. He discussed the school area projects, including upgrading lights, ADA ramps, and crosswalks, with the goal of completing major impacts before school resumes; he highlighted the progress of the inclusive playground project, with completion expected by November, including paving the parking lot and installing an ADA accessible restroom; and mentioned the chip seal program, which will cover about 11 miles of city streets, with prep work already started and chip sealing scheduled for August. In addition, Director Ecklund provided updates on various public works projects, including equipment storage, salt storage, and storm pond

rehabilitation, all required by the NPDES permit; and shared plans to improve trailhead parking along Chamber Street Road, anticipating increased demand with the opening of the Chambers Canyon Trail. He expressed hope for active construction on the Homestead Park project in 2025, with progress being made on environmental aspects. Lastly, he discussed future construction projects, including pedestrian improvements on 40th Street, a joint project with the city of Burke Crest, and the Chambers Creek Road roundabout.

Councilmembers asked questions and provided comments on various projects, including infrastructure, traffic impacts, and community engagement. Suggestions were made to identify and specify the sources of grants in future discussions to keep track of funding origins; to partner with the school district to communicate the impact of upcoming projects around schools; and to re-engage with Pierce County Sewer to improve communication with Day Island residents regarding the sewer project.

9. BUDGET CARRYFORWARD

Finance Director Blaisdell explained that the carryforward adjustments recognize the carryforward of funding from the 2024 budget for re-appropriation in 2025. The re-appropriations are comprised of beginning fund balance adjustments, capital improvement projects, internal service fund carryforwards, and continuing grant funding. She explained that the most significant changes are in the Restricted and CIP funds and are mostly reflective of carryforwards in revenues and expenditures in Parks, Public Works, and Municipal CIP projects and the related interfund transfers. The Public Works CIP includes a new project added for the 67th Phase 2 improvements project, and one project requiring a cost increase. Director Blaisdell stated that the total carryforward requests in the general fund amount to about \$427,196 for professional services and various departmental needs; interfund transfers amounting to \$3M for grants and CIP projects not completed in the previous year; and approximately \$6.3M for ARPA project. Police and Public Safety Fund carryforwards total to about \$196,765 for special overtime and officer credits; and SWM Fund of about \$2.4M for SWM capital improvement projects and machinery. Expenditure adjustments are based on cost increases to existing services and include the appropriations for the 30th Birthday event. She outlined new item requests, including temporary help for records; additional funding for professional services for the City Attorney department; a .8 FTE communication specialist; and a request for an additional \$150,000 to be used for cybersecurity-related services.

Director Blaisdell reported that the one-time monies available after the carryforward and expenditure adjustments amount to \$1.5M, recommending that the funds be banked for future needs, such as debt repayment. She indicated that the Financial Forecast was updated to include all adjustments. Existing services and legal and contractual obligations can be met with existing revenues through the biennium.

Council expressed concerns about the new communication specialist position, seeking clarification on its alignment with Council goals, job description, and funding. Detailed information was requested on the \$150,000 request for cybersecurity services, including what the funds will cover and the necessity of the amount.

10. COMMUNITY GRANT PROCESS

City Attorney Kaser discussed the current community grants process, highlighting that the City Council has historically appropriated around \$10,000 for community grants, with two primary recipients receiving about \$7,000. He noted that the grants process has been largely on autopilot, with minimal changes or updates since its inception. This has led to a need for reevaluation to ensure it remains effective and relevant and aligns with current needs and priorities. He recommended making the grant process more inclusive, which aligns with Council's recent discussions and priorities, and including the management of out-of-cycle requests.

Discussion followed with regards to inclusivity in the grant process to ensure equitable distribution of funds; having an annual cycle review of the grant process before Council's adoption of the budget; the importance of promoting human services provided by churches and organizations in the City; the need to ensure the Community Grants application and process are clearly advertised and accessible on the City website; business matching contribution; the need to develop a system for grant recipients to report back to the City

Council on how the funds were used and the impact on the community; to revise the Community Grants criteria to ensure they align with current Council goals and priorities; service contracts for ongoing partners and accountability measures; the importance of understanding the intent of the community grants policy; and to establish guidelines for handling out-of-cycle grant requests. A suggestion was made to involve the Economic Development Advisory Commission in the review and recommendation process for the Community Grants policy.

At 8:58 p.m., a motion was made and was carried, to extend the meeting for 15 minutes.

11. ADJOURNMENT - The meeting adjourned at 9:00p.m. No other action was taken.

Submitted by,

Emy Genetia
City Clerk

AGENDA

VOUCHER APPROVAL DOCUMENT



3609 Market Place W, Ste 200
University Place, WA 98466
PH: 253.566.5656 FAX: 253.566-5658

Voucher for pay period ending 05-15-25

Date		Name	Amount
05/20/2025	319110	THOMAS R MENDENHALL	614.10
05/20/2025	319111	KYLE J RUSSEL	605.29
05/20/2025	ACH	DIRECT DEPOSIT	310,732.32
05/20/2025	ACH	BANK OF AMERICA	42,845.84
05/20/2025	ACH	WA STATE DEPT OF RETIREMENT SYS	51,785.28
05/20/2025	ACH	WA STATE DEPT OF RETIREMENT SYS	4,335.58
05/20/2025	ACH	AFLAC INSURANCE	142.51
			<u>411,060.92</u>

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: 05-15-2025

Check Range: 51991654 – 51991752, Wire #46791812

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 was 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 was issued.

Vendor Name

Replacement Check #

Original Check #

Auditing Officer: (Signature on file.)

Date: _____

apCkHist
05/14/2025

3:53PM

Check History Listing
City of University Place

Page: 1

Bank code: bofa

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51991655	05/15/2025	001606 AABERG'S INC			187817	04/29/2025	165.15	165.15
51991656	05/15/2025	026328 ACTIVE CONSTRUCTION, INC			10	05/06/2025	27,721.85	27,721.85
51991657	05/15/2025	001945 ADDISON CONSTRUCTION SI			430901	04/25/2025	1,030.09	1,030.09
51991658	05/15/2025	002661 AIR SYSTEMS ENGINEERING			10005655	01/31/2025	689.21	689.21
51991659	05/15/2025	026144 AMAZON			1PLV-6KG7-3YNG	05/12/2025	414.96	
					1R7W-NNKY-WWJL	04/28/2025	392.42	
					1XD3-HWH4-X3W6	04/28/2025	235.78	
					17TN-JHN7-WPCV	04/28/2025	186.39	
					1F39-C1LM-X3GK	04/28/2025	142.03	
					1X1D-LQVD-1RVK	05/12/2025	127.70	
					14VF-NNJQ-X9JF	04/28/2025	14.78	
					1K1R-67RH-P1LW	05/07/2025	-182.75	1,331.31
51991660	05/15/2025	026854 AMERICAN WEST CONSTRUC			238	04/25/2025	6,064.31	6,064.31
51991661	05/15/2025	001818 APEX ENGINEERING PLLC			202500421	04/17/2025	1,140.00	1,140.00
51991662	05/15/2025	001182 BIG JOHN'S TROPHIES			155090	04/29/2025	77.21	77.21
51991663	05/15/2025	026543 CINTAS FIRST AID AND SAFE			9319197622	04/30/2025	386.45	
					9319194714	04/30/2025	128.82	515.27
51991664	05/14/2025	001024 CITY OF TACOMA			IRRIGATION	05/12/2025	21,845.93	21,845.93
51991665	05/15/2025	001024 CITY OF TACOMA	V	05/14/2025			0.00	0.00
51991666	05/15/2025	001024 CITY OF TACOMA			100068203	04/30/2025	2,039.17	
					101102107	05/05/2025	1,256.86	
					100635715	05/05/2025	865.95	
					101117614	05/05/2025	678.64	
					100565439	04/24/2025	438.13	
					100668518	05/06/2025	279.35	
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					100892486	05/01/2025	138.36	
					100060658	04/27/2025	133.46	
					100612293	05/01/2025	130.75	
					100890034	05/01/2025	130.59	
					101098584	05/05/2025	100.44	
					100137272	05/02/2025	97.28	
					100087691	05/04/2025	96.60	
					100892483	05/01/2025	93.08	
					100386367	04/24/2025	92.44	
					100668522	05/06/2025	85.83	
					100617905	05/05/2025	84.27	
					100951901	05/06/2025	77.25	
					100101800	05/05/2025	68.11	
					101134786	05/01/2025	68.10	
					101325439	05/06/2025	66.25	
					100851341	05/01/2025	64.96	
					100105615	05/04/2025	64.19	
					100980359	05/01/2025	63.29	
					100101775	05/06/2025	61.55	
					101378490	04/28/2025	59.16	
					100165190	04/24/2025	56.97	
					100495884	05/05/2025	56.90	
					101153457	04/28/2025	47.96	
					100456986	05/01/2025	45.53	
					101184889	05/04/2025	45.19	
					101259117	05/05/2025	45.17	
					100093125	04/24/2025	44.49	
					100156353	05/04/2025	43.01	
					100533758	05/01/2025	42.37	
					101200947	05/07/2025	42.09	

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City of University Place

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Bank code: bofa

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					100125070	05/01/2025	36.81	
					101325438	05/05/2025	35.95	
					100573267	04/24/2025	34.55	
					100104132	04/27/2025	25.11	
					100802489	05/04/2025	21.20	
					101122277	05/06/2025	20.26	
					101215023	05/06/2025	20.14	
					100737837	05/01/2025	18.11	
					100737857	05/05/2025	17.95	
					100439837	05/04/2025	13.88	
					100986098	05/05/2025	11.31	
					100086165	05/05/2025	9.06	
					100086155	05/05/2025	9.06	
					101414148	05/05/2025	8.90	
					101372462	04/28/2025	6.94	9,197.42
51991667	05/15/2025	026811 CRITICAL INSIGHT, INC.			INV3858	04/07/2025	6,690.38	6,690.38
51991668	05/15/2025	001737 DON SMALL & SONS OIL DIST			S277135	04/21/2025	3,765.96	
					S277136	04/21/2025	263.14	4,029.10
51991669	05/15/2025	026821 ESTATE DESIGN AND CONST			4	05/12/2025	26,815.16	
					6	05/05/2025	2,119.43	28,934.59
51991670	05/15/2025	022739 GRAINGER			9489543497	04/29/2025	286.16	
					9384767704	01/24/2025	126.02	
					9490321180	04/29/2025	76.94	
					9486977094	04/25/2025	39.80	
					9403822076	02/11/2025	17.97	546.89
51991671	05/15/2025	001212 GRAY & OSBORNE INC			11/24495.00	04/24/2025	1,367.06	
					33/22460.00	04/24/2025	221.25	1,588.31

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
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51991673	05/15/2025	001221 HOLROYD COMPANY, INC.			441467	04/22/2025	4,628.60	
					441854	04/30/2025	2,762.77	
					441826	04/29/2025	1,828.57	9,219.94
51991674	05/15/2025	001222 HOME DEPOT U.S.A., INC.			APR25	04/28/2025	1,301.75	1,301.75
51991675	05/15/2025	001096 HONEY BUCKET			0554816461	04/18/2025	72.00	72.00
51991676	05/15/2025	022801 KATE MCDERMOTT			UP JFM.25TU	03/31/2025	675.00	675.00
51991677	05/15/2025	023454 DAVID KELLMAN			0058	05/05/2025	1,755.00	1,755.00
51991678	05/15/2025	001072 DEBBIE KLOSOWSKI			REIMB	04/29/2025	476.49	476.49
51991679	05/15/2025	026556 KRISTA WHITE SWAIN			APR25	04/30/2025	9,000.00	9,000.00
51991680	05/15/2025	001243 LLOYD ENTERPRISES INC			21160R	12/06/2024	1,845.00	
					21689	05/07/2025	1,793.75	
					21159R	12/06/2024	1,742.50	
					21687	05/06/2025	1,640.00	
					21159C	12/06/2024	-1,920.24	
					21160C	12/06/2024	-2,033.19	3,067.82
51991681	05/15/2025	026832 MIDWAY UNDERGROUND LLC			1	05/01/2025	572,227.73	572,227.73
51991682	05/15/2025	001352 MILES RESOURCES, LLC			368735	04/28/2025	1,783.63	1,783.63
51991683	05/15/2025	002150 OFFICE DEPOT,INC.			417387176001	03/25/2025	60.90	60.90
51991684	05/15/2025	002089 OWEN EQUIPMENT CO.			00118956	04/30/2025	667,819.96	667,819.96
51991685	05/15/2025	021638 PACIFICSOURCE ADMIN, INC.			JAN25	05/02/2025	1,419.84	1,419.84
51991686	05/15/2025	026671 PAYBYPHONE US INC			INVPBP-US1916	04/30/2025	730.05	730.05
51991687	05/15/2025	001588 PIERCE COUNTY SEWER			1633279	05/01/2025	691.40	
					664685	05/01/2025	581.84	
					1576712	05/01/2025	108.04	
					1576739	05/01/2025	64.46	

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					604682	05/01/2025	27.95	1,624.48
51991688	05/15/2025	021727 PRINT NW LLC			43112501	03/21/2025	4,265.18	4,265.18
51991689	05/15/2025	001161 PUGET SOUND ENERGY COF			200000971479	04/25/2025	213.58	
					200014542258	04/29/2025	60.30	273.88
51991690	05/15/2025	003165 RAINIER COMMUNICATIONS I			1STQTR25	05/05/2025	11,131.49	
					1STQTR25	05/06/2025	633.50	11,764.99
51991691	05/15/2025	025843 REED TRUCKING & EXCAVAT			6	05/07/2025	509,272.76	509,272.76
51991692	05/15/2025	021634 ROBBLEES TOTAL SECURITY			156790	04/30/2025	7.65	7.65
51991693	05/15/2025	026696 ROGUE FITNESS			13353571	04/23/2025	4,424.29	4,424.29
51991694	05/15/2025	002206 S & S TIRE, INC.			1-160536	11/19/2024	544.56	
					1-164829	04/24/2025	284.33	
					1-161112	12/07/2024	199.84	1,028.73
51991695	05/15/2025	026536 S & T WINDOW FILMS, LLC			6193	04/09/2025	2,079.79	2,079.79
51991696	05/15/2025	021712 SARCO SUPPLY			1162165	05/06/2025	442.54	442.54
51991697	05/15/2025	003221 SASE			INV366882	03/14/2025	9,122.68	9,122.68
51991698	05/15/2025	025431 SIMPLOT TURF & HORTICULT			212137283	05/02/2025	455.71	455.71
51991699	05/15/2025	026781 SOUNDVIEW CONSULTANTS,			27710001008	04/29/2025	2,437.25	2,437.25
51991700	05/15/2025	026822 STAFFORD EXCAVATING			6	05/01/2025	143,504.05	143,504.05
51991701	05/15/2025	026812 STREAMLINE IMAGING LLC			42161	05/05/2025	1,833.66	
					41815	03/05/2025	1,709.50	3,543.16
51991702	05/15/2025	002097 TACOMA SCREW PRODUCTS			100380553-00	05/02/2025	312.25	312.25
51991703	05/15/2025	025311 TACOMA WINSUPPLY, INC.			116710 01	04/29/2025	371.17	
					116275 01	04/17/2025	313.75	

Check History Listing
City of University Place

Bank code: bofa

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
					116741 01	04/30/2025	51.22	736.14
51991704	05/15/2025	001139 TACOMA-PIERCE CO CHAMBI			69920	02/11/2025	5,349.00	5,349.00
51991705	05/15/2025	002823 THOMPSON ELECTRICAL CO			425-20995W	04/28/2025	1,119.72	1,119.72
51991706	05/15/2025	001326 TUCCI & SONS INC			2	05/08/2025	618,943.78	618,943.78
51991707	05/15/2025	025832 U.S. BANK ST. PAUL			2866015	04/10/2025	436,750.00	
					2863199	04/10/2025	217,360.01	
					2863281	04/10/2025	43,900.00	
					2863444	04/10/2025	36,112.50	734,122.51
51991708	05/15/2025	001331 UNIVERSITY PLACE REFUSE			1419514	04/23/2025	2,796.83	
					1419189	04/23/2025	1,411.04	4,207.87
51991709	05/15/2025	026212 VESTIS UNIFORM & WORKPL			5120673039	04/22/2025	35.01	35.01
51991710	05/15/2025	001389 WA STATE PATROL			12505743	05/01/2025	55.00	55.00
51991711	05/15/2025	001781 WILLIAMS OIL FILTER SERVIC			696616	04/23/2025	48.79	48.79
51991712	05/15/2025	001357 ZUMAR INDUSTRIES INC			52036	04/23/2025	5,284.80	5,284.80

bofa Total: 3,446,313.72

59 checks in this report

Total Checks: 3,446,313.72

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

Proposed Council Action:

Adopt a resolution appointing voting delegates to the 2025 Association of Washington Cities' Annual Business Meeting.

Agenda No:

6C

Dept. Origin:

City Clerk

For Agenda of:

June 2, 2025

Exhibits:

Resolution

Concurred by Mayor:

Approved by City Manager:

Approved as to form by City Atty.:

Approved by Finance Director:

Approved by Department Head:

Expenditure

Amount

Appropriation

Required: \$0.00

Budgeted: \$0.00

Required: \$0.00

SUMMARY/POLICY ISSUES

The Association of Washington Cities ("AWC") conducts an annual business meeting during the annual AWC conference to be held in June of this year. The AWC bylaws require that each member, prior to the annual membership meeting, designates up to three delegates who are duly elected or appointed officials of employees of such member as voting representatives of the member in the affairs of the AWC. Councilmember Stan Flemming and Councilmember Frank Boykin have offered to serve as the City's voting representatives to the AWC annual business meeting. It is in the City's best interest to appoint them as voting delegates to AWC for the 2025 business meeting.

RECOMMENDATION/MOTION

MOVE TO: Adopt a resolution appointing voting delegates to the 2025 Association of Washington Cities' Annual Business Meeting.

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, APPOINTING
VOTING DELEGATES TO THE ASSOCIATION OF WASHINGTON CITIES ANNUAL
BUSINESS MEETING**

WHEREAS, the City is a member of the Association of Washington Cities ("AWC"); and

WHEREAS, AWC conducts an annual business meeting during the annual AWC conference to be held in June of this year; and

WHEREAS, under the AWC bylaws each member, prior to the annual membership meeting, will designate up to three delegates who shall be duly elected or appointed officials or employees of such member as voting representatives of the member in the affairs of the AWC, and will file with the AWC executive director certificates of designation prior to the annual member meeting; and

WHEREAS, Councilmember Stan Flemming and Councilmember Frank Boykin have offered to serve as the City's voting representatives to the AWC annual business meeting.

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

1. Designation of Voting Representatives. The City Council hereby designates Councilmember Stan Flemming and Councilmember Frank Boykin as the City's voting representatives to the 2025 AWC annual business meeting.

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

ADOPTED BY THE CITY COUNCIL ON JUNE 2, 2025.

Javier H. Figueroa, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

PUBLIC HEARING & COUNCIL CONSIDERATION

Memo

DATE: June 2, 2025
TO: City Council
FROM: Leslie Blaisdell, Finance Director
SUBJECT: Carryforward Budget Adjustment



Before you for public hearing and council consideration is the Carryforward Budget Adjustment. Council reviewed this during the study session held on May 19, 2025.

The carryforward adjustments recognize the carryforward of funding from the 2024 budget for re-appropriation in 2025. The re-appropriation is comprised primarily of beginning fund balance adjustments, capital improvement projects, internal service fund carryforwards, and continuing grant funding. We have also included other requested adjustments which are detailed in this memo.

The most significant change you will notice is in our Restricted and CIP Funds. This change is mostly reflective of carry forwards in revenues and expenditures in Parks CIP, Public Works CIP, Municipal CIP and the related interfund transfers. Please note that appropriations for capital improvements are continuing in nature and do not lapse at the end of the year.

- In **Parks CIP**, we are carrying forward fund balances and previously budgeted 2024 project expenditures into 2025 totaling \$1,276,363.
- In **Public Works CIP**, we are carrying forward fund balances and previously budgeted 2024 project expenditures into 2025 for Public Works CIP totaling \$22,861,695, one new project was added in the amount of \$1,547,004, and one project required an increase of \$300,000.
 - 67th Avenue Phase 2 improvements project added in the amount of \$1,547,004: \$1,314,492 is grant funded, \$86,028 is SWM funded, and the remaining \$628,263 from the General Fund. Council approved the contract for this project in 2024, but engineering staff discovered that it was not included in their CIP budget request for 2025.
 - 35th Street Phase 2 required an increase of \$300,000 funded by the General fund due in large part to flagging costs.
- In **Municipal Facilities CIP**, we are carrying forward previously budgeted 2024 project expenditures into 2025 totaling \$664,027

Expenditure Carryforward of Funds Budgeted in 2024 for Use in 2025

Carryforwards are items that were budgeted in 2024 but not completed. These amounts are being carried forward to 2025.

General Fund - Departmental	427,196
General Fund – Interfund Transfers (CIP funds, IT)	3,037,507
General Fund – ARPA Projects	6,307,715
Street Fund – Public Works	142,934
Street Fund – Pavement Maintenance	270,438
Police/Public Safety Fund	196,765
SWM Fund – SWM CIP Projects & Machinery/Equipment	2,438,478
Fleet – Machinery & Equipment	44,500
IT Fund – Prof. Services, Hardware, Software and continuing Grant projects)	857,643
Property Management – Professional Services	23,188
Risk Management – Increased insurance premiums	21,745
Donations Fund	23,406

Expenditure Adjustments to 2025-2026 Budgeted Amounts

Expenditure adjustments by funds are as follows. These adjustments include cost increase adjustments to existing services. Adjustments mainly consist of Internal Service costs for increases in Risk Management and Property Management. The adjustments also include the monies appropriated by Council for the 30th Birthday Event

General Fund	111,701
General Fund – 30 th Birthday Event	246,500
Street Fund	24,847
Police Fund	11,846
SWM	95,154
Property Management	24,378
Risk Management	47,566

Expenditure New Items Requested

There are three new item requests. Temporary Help for records archiving, additional professional services, and a request for a 0.8 FTE.

General Fund - Temp Help - Records Archiving	26,711
Street Fund - Temp Help – Records Archiving	5,600
SWM Fund - Temp Help – Records Archiving	934
Police Fund – City Attorney Dept – Professional Services	57,308
General Fund - .8 FTE Communication Specialist to replace the contracted Content Creator	85,000
Additional Cybersecurity Funding	150,000

Revenue Adjustments to 2025-2026 Budgeted Amounts

This budget adjustment also recognizes adjustments to revenues based on updated estimates for various revenue sources, including State Shared Revenues. We review all revenues for adjustments. Significant revenue projection adjustments are as follows:

General Fund (Admission Tax, Franchise Fees, City Assistance, Field Rentals, Investment Interest)	830,218
Street Fund (Sewer Utility Tax and Franchise Fees)	44,225
Real Estate Excise Tax Fund (REET Tax)	130,000

The remaining revenue adjustments are interfund transfers and grants related to CIP project carryforwards and adjustments to beginning fund balances.

ONE-TIME MONIES

In the General Fund there were unexpected revenues and expenditure savings in 2024. After all carryforward amounts and cost adjustments are included in the budget adjustment the remaining amount of one-time monies is \$1,386,494.

The current forecast does not appropriate these funds for expenditure. They remain in the fund as ending fund balance. Should Council choose to appropriate these funds the General Fund Ending fund balance would be reduced.

2024 Revenue Increase	\$	2,464,065
2024 Expenditure Savings		3,879,179
Less: Carryforward Budget Adj.		<u>(4,956,750)</u>
2024 1x Monies Available	\$	1,386,494

FINANCIAL FORECAST – 10 years

The financial forecast has been updated to include all adjustments. All existing services and legal and contractual obligations can be met with existing revenues through the 2025-2026 biennium and the Strategic Reserve balance maintains an ending fund balance of 15% of the Operating Budget.

CITY OF UNIVERSITY PLACE FINANCIAL FORECAST ENDING FUND BALANCES

	12/31/2024 Adopted/CF 2	12/31/2024 Actual	12/31/2025 Adopted	12/31/2025 CF	12/31/2026 Adopted	12/31/2026 CF	12/31/2027 Projected	12/31/2028 Projected	12/31/2029 Projected	12/31/2030 Projected	12/31/2031 Projected	12/31/2032 Projected	12/31/2033 Projected	12/31/2034 Projected
General Fund - Unreserved	\$13,857,416	\$20,593,044	\$17,542,430	\$18,585,573	\$3,449,040	\$4,173,524	\$8,113,997	\$11,533,857	\$13,998,418	\$16,768,366	\$19,171,536	\$21,309,936	\$23,326,195	\$25,011,726
Police/Public Safety Fund	10,835,318	11,331,644	10,355,204	10,627,712	10,296,190	10,721,692	10,154,315	9,524,257	8,724,605	7,748,212	6,587,687	5,235,389	3,683,417	1,923,603
Street Fund	3,071,939	3,985,532	2,926,487	3,196,053	2,522,847	2,818,940	2,688,332	2,516,780	2,754,000	2,946,206	3,101,510	3,207,962	3,273,549	3,286,186
General Fund - Reserved EFB	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Strategic Reserve	3,299,131	3,299,131	3,422,165	3,568,764	3,422,165	3,568,764	3,568,764	3,568,764	3,640,575	3,741,302	3,856,130	3,963,282	4,084,726	4,198,693
	\$35,063,803	\$43,209,351	\$38,246,286	\$39,978,102	\$23,690,241	\$25,282,920	\$28,525,408	\$31,143,658	\$33,117,598	\$35,204,086	\$36,716,863	\$37,716,570	\$38,367,887	\$38,420,208
Internal Service Funds*	380,116	329,126	390,117	413,655	390,117	413,655	413,655	413,655	413,655	413,655	413,655	413,655	413,655	413,655
SWM Restricted Fund - Cash	678,593	3,226,321	203,281	609,883	374,774	1,012,591	291,657	523,543	1,065,210	619,679	1,178,241	2,325,499	2,747,338	4,028,469
Other Restricted Funds**	1,773,133	8,465,431	1,226,684	2,552,298	1,187,688	5,141,877	1,401,973	1,985,542	2,372,498	2,764,498	3,148,964	3,539,016	3,913,634	4,302,523
Assets - Invested in Fixed Assets	11,655,802	13,625,361	11,700,302	13,625,361	11,700,302	13,625,361	13,625,361	13,625,361	13,625,361	13,625,361	13,625,361	13,625,361	13,625,361	13,625,361
Grand Total	\$49,551,448	\$68,855,590	\$51,766,670	\$57,179,299	\$37,343,122	\$45,476,404	\$44,258,054	\$47,691,759	\$50,594,322	\$52,627,278	\$55,083,084	\$57,620,101	\$59,067,875	\$60,790,217

* **Internal Service Funds:** IT, Fleet, Property Management and Risk Management (Balance reflects Cash Balance)

** **Other Restricted Funds:** Real Estate Excise Tax Fund, Traffic Impact Fee Fund, Transportation Benefit District, Affordable Housing, Opioid Settlement, Debt Service Fund, CIP Funds, Donations Fund, and Fiduciary Fund

Memo

DATE: June 2, 2025
TO: City Council
FROM: Lisa Petorak, Director of Administrative Services
SUBJECT: Request to add 0.8 FTE Communication Specialist

Summary

As the City's communications functions continue to grow and evolve, staff recommend the addition of a 0.8 FTE Communications Specialist. This position will support the continued delivery of high-quality communications services, enhance responsiveness to department and Council requests, and contribute to strategic planning. This position would eliminate the need for the Content Creator contract as those services are brought in-house.

Communications is a Core City Service

During the 2023–2024 biennium, Community Engagement was formally adopted as a Council Goal. During this year's January retreat, it became clear that Council considers communications a core service. This shift requires adequate staffing in Communications for the department to meet daily operational demands and deliver consistent, high-quality outreach to the community.

Support for High-Visibility Projects

Departments such as Engineering, Public Works, and Development Services continue to deliver major infrastructure and capital projects. The Engineering Department alone has approximately 30 projects that are currently underway or scheduled for construction over the course of the next biennium. These efforts demand robust communications support for web updates, construction timelines, and accessible visual content. To meet this demand, the Communications team is holding monthly City "what's happening" meetings with all departments and serving as a central point of support for writing articles, managing social media content, and providing website updates for these projects. The Communications team seeks to expand the team's ability to provide more timely support for these initiatives.

Expanding Council and Commission Coverage

Council has also expressed interest in increased visibility for Council and Commission activities. This position would provide Council meeting back-up, track commission happenings and contribute to proactive storytelling that highlights the work being done by the City Council and Commissions.

Memo

Support for Future Priorities

As staff prepare to increase messaging related to Economic Development and the potential for future recreation opportunities, having a Communications Specialist in place will allow the team to scale its support effectively. Delegating specialist-level tasks to the new role will allow senior staff to focus on strategic initiatives, short- and long-term content planning and targeted outreach in these expanding focus areas.

Replacing the Contracted Content Creator and Reducing Risk

This position will absorb duties currently handled by the contracted content creator, allowing that work to be brought in-house. By adding a third person to the team, staff will be better positioned to take on more photography responsibilities, reducing the City's reliance on external vendors for photo content. Not only will this increase efficiency and internal coordination, but it also addresses concerns about the long-term use of contractors in roles that mirror employee responsibilities. The Microsoft employment case has elevated awareness of the risks associated with misclassifying contractors, and this change helps protect the City from similar liability.

Rising Overtime and Strained Capacity

Since 2020, the Communications department has experienced a steady increase in workload and overtime. Overtime for the non-exempt Senior Communications Specialist rose 25% between 2020 and 2023 and remains elevated. In the first quarter of 2025, overtime increased to 153% compared to the first quarter of 2024, and this is before the peak event season. This computes to an average of 50 hours per week. The Communications Manager also puts in overtime, however, as an exempt position those hours are not tracked. This level of workload on a two-person team is not sustainable. Adding a part-time staff member would relieve pressure, provide consistent coverage during vacations or absences, and reduce dependency on costly overtime and temporary fixes.

Succession Planning and Staff Development

The Communications team is small, and continuity planning is essential. The addition of a part-time Communication Specialist builds internal capacity and allows for mentorship and training. Investing in staff development now puts the City in a stronger position long-term by providing options for future role changes resulting in cost savings.

Conclusion

The proposed 0.8 FTE Communications Specialist represents a practical and forward-looking investment in the City's ability to communicate effectively with the public, support major

Memo

projects, and meet Council's growing expectations for transparency, engagement, and visibility.

This position meets requests staff heard from Council, replaces certain contract labor with in-house capacity, and builds a stronger foundation for internal staff development and succession planning. It also relieves the mounting pressure on a two-person team that is already stretched to its limits, helping to avoid burnout, reduce overtime costs, and maintain service levels that are the new expectation.

By investing in this modest expansion now, staff believe it will ensure the City is better positioned to be proactive rather than reactive, strategic rather than short-staffed, and better equipped to meet both current and future communication needs.

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

Proposed Council Action:

Pass an Ordinance amending the 2025-2026 Biennial Budget for the 2024 Carryforward appropriations and other adjustments.

Agenda No:

7

Dept. Origin:

Finance Department

For Agenda of:

June 2, 2025

Exhibits:

Ordinance, Exhibits
A-1 and A-2

Concurred by Mayor:

Approved by City Manager:

Approved as to form by City Atty.:

Approved by Finance Director:

Approved by Department Head:

Expenditure

Required: \$159,076,181

Amount

Budgeted: \$121,065,224

Appropriation

Required: \$38,010,957

SUMMARY/POLICY ISSUES

The attached budget ordinance recognizes the carry forward of funding from 2024 and re-appropriation in 2025. The re-appropriation is comprised primarily of beginning fund balance and capital improvement projects (public works, parks, and municipal facilities) that were appropriated in 2024 and will continue in 2025. Appropriations for capital improvement funds are continuing in nature and do not lapse at the end of the year. The adjustments also include carryforwards in IT as well as ARPA funding and expenses. Adjustments also include needed revenue and expense adjustments to various line items and three (3) new items. The ordinance is now being brought forth to the City Council for approval.

ALTERNATIVES CONSIDERED

None.

BOARD OR COMMITTEE RECOMMENDATION

At their May 19, 2025 meeting, City Council reviewed and discussed the adjustments during Study Session. A public hearing was held on June 2, 2025.

RECOMMENDATION/MOTION

MOVE TO: Pass an Ordinance amending the 2025-2026 Biennial Budget for the 2024 Carryforward appropriations and other adjustments.

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, RELATING TO BUDGETS AND FINANCE, REVISING THE 2025/2026
BUDGET AMENDING SECTION 1 OF ORDINANCE NO. 785**

WHEREAS, certain revisions to the 2025/2026 biennial budget are necessary;

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

Section 1. 2025/2026 Amended Budget. Ordinance 785, Section 1, is amended to adopt the revised budget for the 2025/2026 biennium in the amounts and for the purposes as shown on the attached Exhibits A-1 and A-2.

Section 2. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Published 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 JUNE 2, 2025.

Javier H. Figueroa, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Date of Publication: xx/xx/xx

Effective Date: xx/xx/xx

**EXHIBIT A-1
CITY OF UNIVERSITY PLACE
2025 Amended Budget**

REVENUES & OTHER SOURCES				EXPENDITURES & OTHER USES			ENDING BALANCE		
FUND	Adopted	Adjust	Revised	Adopted	Adjust	Revised	Cash	Cash - Reserved for Pension	Invested in Capital Assets
Operating									
General									
001 General	\$ 36,972,635	11,461,311	48,433,946	\$ 15,430,205	10,418,169	25,848,374	22,585,572		
109 Police/Public Safety Fund	20,011,428	538,399	20,549,827	9,656,223	265,919	9,922,142	10,627,685		
103 Real Estate Excise Tax	1,823,621	1,495,936	3,319,557	1,497,948	1,065,636	2,563,584	755,973		
105 Traffic Impact Fees	620,664	(539)	620,125	-	-	-	620,125		
188 Strategic Reserve	3,422,165	146,599	3,568,764	-	-	-	3,568,764		
Sub-total General Fund	62,850,513	13,641,706	76,492,219	26,584,376	11,749,724	38,334,100			
Special Revenue									
101 Street	5,690,699	713,385	6,404,084	2,764,212	443,819	3,208,031	3,196,053		
110 Affordable Housing	147,898	(345)	147,553	122,485	(345)	122,140	25,413		
111 Opioid Settlement	63,423	(1,625)	61,798	52,653	(164)	52,489	9,309		
Sub-total Special Revenue	5,902,020	711,415	6,613,435	2,939,350	443,310	3,382,660	3,230,775	-	-
Enterprise									
401 Surface Water Mgmt	16,332,064	4,364,530	20,696,594	4,939,482	2,534,979	7,474,461	344,106	265,777	12,612,250
Sub-total Enterprise	16,332,064	4,364,530	20,696,594	4,939,482	2,534,979	7,474,461	344,106	265,777	12,612,250
Debt Service									
201 Debt Service	3,768,809	-	3,768,809	3,524,645	-	3,524,645	244,164		
Sub-total Debt Service	3,768,809	-	3,768,809	3,524,645	-	3,524,645	244,164	-	-
Custodial									
630 Fiduciary	-	-	-	-	-	-	-		
Sub-total Custodial	-	-	-	-	-	-	-	-	-
Total Operating	88,853,406	18,717,651	107,571,057	37,987,853	14,728,013	52,715,866	26,404,617	265,777	12,612,250
Capital Improvement									
301 Parks CIP	1,103,324	2,173,678	3,277,002	1,103,324	1,276,363	2,379,687	897,315		
302 Public Works CIP	2,414,440	23,972,431	26,386,871	2,414,440	23,972,431	26,386,871	-		
303 Municipal Facilities CIP	70,000	664,027	734,027	70,000	664,027	-	734,027		
Sub-total CIP	3,587,764	26,810,136	30,397,900	3,587,764	25,912,821	29,500,585	897,315		-
Internal Service									
501 Fleet & Equipment	850,370	417,758	1,268,128	441,974	44,500	486,474	61,923		719,731
502 Information Technology & Services	1,917,577	1,141,360	3,058,937	1,700,178	1,007,643	2,707,821	21,744	63,397	265,975
505 Property Management	1,221,435	66,239	1,287,674	946,112	47,566	993,678	245,460	21,132	27,404
506 Risk Management	335,825	21,745	357,570	335,825	21,745	357,570	-		-
Sub-total Internal Service	4,325,207	1,647,102	5,972,309	3,424,089	1,121,454	4,545,543	329,127		1,013,110
Non-Annually Budgeted									
150 Donations and Gifts to University Place	-	23,406	23,406	-	23,406	23,406	-		
Sub-total Non-Annually Budgeted	-	23,406	23,406	-	23,406	23,406	-		
Total Budget	96,766,377	47,198,295	143,964,672	44,999,706	41,785,694	86,785,400	27,631,059	265,777	13,625,360

EXHIBIT A-2
CITY OF UNIVERSITY PLACE
2026 Amended Budget

FUND	REVENUES & OTHER SOURCES				EXPENDITURES & OTHER USES			ENDING BALANCE		ENDING BALANCE
	Adopted	Adjust	Revised		Adopted	Adjust	Revised	Cash		Invested in Capital Assets
Operating										
General										
001 General	\$ 36,845,258	984,413	37,829,671		\$ 29,396,217	259,930	29,656,147	8,173,524		
109 Police/Public Safety Fund	19,730,005	201,759	19,931,764		9,433,816	3,019	9,436,835	10,494,929		
103 Real Estate Excise Tax	1,465,673	540,299	2,005,972		1,017,564	(115,869)	901,695	1,104,277		
105 Traffic Impact Fees	860,016	(539)	859,477		400,000	(400,000)	-	859,477		
188 Strategic Reserve	3,422,165	146,599	3,568,764		-	-	-	3,568,764		
Sub-total General Fund	62,323,117	1,872,531	64,195,648		40,247,597	(252,920)	39,994,677	24,200,971		
Special Revenue										
101 Street	5,317,659	299,837	5,617,496		2,794,812	3,744	2,798,556	2,818,940		
110 Affordable Housing	50,826	-	50,826		25,413	-	25,413	25,413		
111 Opioid Settlement	19,493	(855)	18,638		10,770	(1,461)	9,309	9,329		
Sub-total Special Revenue	5,387,978	298,982	5,686,960		2,830,995	2,283	2,833,278	2,853,682		
Enterprise										
401 Surface Water Mgmt	16,129,253	1,829,551	17,958,804		4,565,179	(231,216)	4,333,963	746,814	265,777	12,612,250
Sub-total Enterprise	16,129,253	1,829,551	17,958,804		4,565,179	(231,216)	4,333,963	746,814	265,777	12,612,250
Debt Service										
201 Debt Service	18,857,681	-	18,857,681		18,612,254	-	18,612,254	245,427		
Sub-total Debt Service	18,857,681	-	18,857,681		18,612,254	-	18,612,254	245,427		
Custodial										
630 Fiduciary	-	-	-		-	-	-	-		
Sub-total Custodial	-	-	-		-	-	-	-		
Total Operating	102,698,029	4,001,064	106,699,093		66,256,025	(481,853)	65,774,172	28,046,894	265,777	12,612,250
Capital Improvement										
301 Parks CIP	2,897,974	1,391,565	4,289,539		2,897,974	(1,506,410)	1,391,564	2,897,975		
302 Public Works CIP	3,395,869	(2,015,869)	1,380,000		3,395,869	(2,015,869)	1,380,000	-		
303 Municipal Facilities CIP	-	-	-		-	-	-	-		
Sub-total CIP	6,293,843	(624,304)	5,669,539		6,293,843	(3,522,279)	2,771,564	2,897,975		
Internal Service										
501 Fleet & Equipment	770,370	373,258	1,143,628		361,974	44,500	406,474	17,423	-	719,731
502 Information Technology & Services	2,031,698	295,217	2,326,915		1,814,299	161,500	1,975,799	21,744	63,397	265,975
505 Property Management	1,246,912	18,673	1,265,585		971,589	-	971,589	245,460	21,132	27,404
506 Risk Management	367,788	23,395	391,183		367,788	23,395	391,183	-	-	-
Sub-total Internal Service	4,416,768	710,543	5,127,311		3,515,650	229,395	3,745,045	284,627	84,529	1,013,110
Non-Annually Budgeted										
150 Donations and Gifts to University Place	-	-	-		-	-	-	-		
Sub-total Non-Annually Budgeted	-	-	-		-	-	-	-		
Total Budget	113,408,640	4,087,303	117,495,943		76,065,518	(3,774,737)	72,290,781	31,229,496	350,306	13,625,360

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

Proposed Council Action:

Pass an Ordinance amending portions of Titles 13, 19, and 21 of the University Place Municipal Code; relating to creating more housing options in conformity with recent state legislation.

Agenda No: 8
Dept. Origin: Community & Econ. Dev.
For Agenda of: June 2, 2025
Exhibits: Proposed Ordinance

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

In 2023 the Washington State legislature passed Engrossed Second Substitute House Bill 1110 (HB 1110) that requires cities and counties throughout Washington State to increase middle housing in areas traditionally dedicated to single-family detached housing. Middle housing refers to housing types that are between (or in the middle of) detached single family houses and large apartment complexes. In accordance with the bill, these middle housing types refer to duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhomes, stacked flats, cottage housing, and courtyard housing.

University Place is required to amend its development regulations and allow at least six of the above-mentioned middle housing types in the Residential 1 and Residential 2 zoning districts. In accordance with the bill requirements, amendments must allow a new minimum density of two dwelling units on all lots in these zones. A bonus density of up to two additional dwelling units (for a maximum of four dwelling units on one lot) must also be allowed if a property owner records a restrictive covenant that ensures at least one of the units will be designated as affordable housing. University Place must adopt development regulations by June 30, 2025 or the Washington State Department of Commerce's Model Ordinance will supersede, preempt, and invalidate the City's regulations.

Also in 2023, the Washington State legislature passed Engrossed Second Substitute Senate Bill 5258 (SB 5258) that requires University Place to adopt procedures for reviewing unit lot subdivision applications, which is a type of subdivision that divides middle housing units on one parcel, referred to as the "parent lot, into individual "unit lots".

On December 4, 2023, the City Council adopted Resolution 1026 adopting the Annual Planning Commission Work Plan for 2024, and Resolution 1062 on January 6, 2025 adopting the Annual Planning Commission Work Plan for 2025. Both resolutions included directing the Planning Commission to review the requirements of House Bill 1110 and Senate Bill 5258 and recommend draft development and subdivision regulations which implement the requirements of these bills. The Planning Commission met four times over 2024 and 2025 and held a public hearing on March 19, 2025 to hear from the public and vote on a recommendation to the City Council.

BOARD OR COMMITTEE RECOMMENDATION

The Planning Commission voted unanimously to recommend the proposed amendments to Title 13 *Transportation*, Title 19 *Zoning*, and Title 21 *Subdivision Regulations* and adopted findings to support their recommendation in accordance with UPMC 22.05.030(E). The Planning Commission recommends the following six middle housing types be allowed in the R1 and R2 zones: duplexes (which are currently allowed), triplexes, fourplexes, townhomes, stacked flats (one unit on top of the other), and courtyard housing (up to four units oriented around a central courtyard). Additionally, a new chapter is proposed (Chapter 19.47 UPMC) which includes new design standards that will be applicable to middle housing building types, and a new unit lot subdivision chapter (Chapter 21.75 UPMC) which includes new standards for subdividing unit lots from a parent lot to support middle housing homeownership.

RECOMMENDATION/MOTION

MOVE TO: Pass an Ordinance amending portions of Titles 13, 19, and 21 of the University Place Municipal Code; relating to creating more housing options in conformity with recent state legislation.

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, AMENDING PORTIONS OF TITLES 13, 19, AND 21 OF THE
UNIVERSITY PLACE MUNICIPAL CODE; RELATING TO CREATING MORE HOUSING
OPTIONS IN CONFORMITY WITH RECENT STATE LEGISLATION**

WHEREAS, in enacting the Growth Management Act (Chapter 36.70A RCW, hereafter GMA) the Legislature found that "uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, poses a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state;" and

WHEREAS, the GMA requires that local governments meet certain criteria, including the City of University Place, adopt development regulations to guide development subject to state regulations, multi-county and countywide planning policies, and comprehensive plan goals and policies; and

WHEREAS, the City Council established and appointed the Planning Commission to advise the City Council on the following topics: growth management; general land use and transportation planning; long range capital improvement plans; and other matters as directed by the City Council; and

WHEREAS, the Planning Commission is charged with holding hearings on and preparing development regulations for the City and making recommendations to the City Council on amendments to these regulations; and

WHEREAS, in 2023 the Washington State legislature passed Engrossed Second Substitute House Bill (E2SHB) 1110 (hereafter referred to as "HB 1110") that requires cities and counties throughout Washington State to increase middle housing in areas traditionally dedicated to single-family detached housing; and

WHEREAS, in passing HB 1110 the State legislature found that Washington is facing a housing crisis for its current population and a lack of housing choices, and is not likely to meet affordability goals for future populations; and

WHEREAS, the State legislature further found that in order to meet the goal of 1,000,000 new homes statewide by 2044, and enhanced quality of life and environmental protection, innovative housing policies will need to be adopted and that increasing housing options that are more affordable to various income levels is critical to achieving the state's housing goals, including those established by the legislature in Engrossed Second Substitute House Bill 1220 (Laws of 2021, Chapter 254); and

WHEREAS, the State legislature further found:

There is continued need for the development of housing at all income levels, including middle housing that will provide a wider variety of housing options and configurations to allow Washingtonians to live near where they work;

Homes developed at higher densities are more affordable by design for Washington residents both in their construction and reduced household energy and transportation costs;

While creating more housing options, it is essential for cities to identify areas at higher risk of displacement and establish anti-displacement policies as required by Engrossed Second Substitute House Bill 1220 (Chapter 254, Laws of 2021);

The State has made historic investments in subsidized affordable housing through the housing trust fund, yet even with these historic investments, the magnitude of the housing shortage requires both public and private investment;

In addition to addressing the housing shortage, allowing more housing options in areas already served by urban infrastructure will reduce the pressure to develop natural and working lands, support key strategies for climate change, food security, and Puget Sound recovery, and save taxpayers and ratepayers money.

WHEREAS, HB 1110 is primarily codified in the Revised Code of Washington (RCW) section 36.70A.635; and

WHEREAS, in 2024 the Washington State legislature passed Engrossed Substitute House Bill (ESHB) 2321 (hereafter referred to as “HB 2321”), which modified certain middle housing requirements originally established by HB 1110 in RCW 36.70A.635, as well as amended definitions in RCW 36.70A.030; and

WHEREAS, in 2023 the Washington State Legislature passed Engrossed Second Substitute Senate Bill 5258 (Chapter 337, Laws of 2023), referred to hereafter as “SB 5258,” relating to increasing the supply and affordable condominium units and townhouses as an option for homeownership; and

WHEREAS, SB 5258 requires University Place to adopt procedures for unit lot short subdivisions, which are located within Title 21, the Subdivision Regulations; and

WHEREAS, a unit lot short subdivision is a type of subdivision that divides middle housing units on one parcel, referred to as the “parent lot,” into individual “unit lots” (sometimes called child lots); and

WHEREAS, the unit lots are individual, sellable, legal lots of record with their own tax or parcel identification numbers, but they are not intended to be further subdivided unless regulations allow, and development regulations (e.g., setbacks, lot coverage, lot size, etc.) will be applicable to the parent as a whole – not the individual unit lots themselves; and

WHEREAS, State law also provides that portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners’ association; and

WHEREAS, the City Council adopted Resolution 1026 on December 4, 2023 adopting the Annual Planning Commission Work Plan for 2024, and Resolution 1062 on January 6, 2025 adopting the Annual Planning Commission Work Plan for 2025, which both directed the Planning Commission to review the requirements of House Bill 1110 and Senate Bill 5258 and recommend draft development and subdivision regulations which implement the requirements of these bills; and

WHEREAS, the City entered into a Professional Services Agreement (PSA) on May 20, 2024 with MAKERS architecture and urban design to assist the City with developing design standards for middle housing and amending sections of the UPMC for consistency with the aforementioned state bills; and

WHEREAS, the Planning Commission held four hybrid public meetings to review and discuss amendments to the Zoning Code and Subdivision Code incorporating the requirements of HB 1110 and SB 5258; and

WHEREAS the Planning Commission held a hybrid public hearing on March 19, 2025 to consider written and oral public comments on the proposed zoning and subdivision code amendments; and

WHEREAS, on March 19, 2025, the Planning Commission adopted Commission Resolution 2025-02 forwarding recommendations for amending sections of Title 19 Zoning to implement the requirements of HB 1110 and Title 21 Subdivisions, implementing the requirements of SB 5258, with supporting findings in accordance with UPMC 22.25.030(E); and

WHEREAS on March 21, 2025, the City submitted a set of draft amendments to the Department of Commerce to initiate a 60-day state agency review period. Commerce reached out for clarification on the draft code amendments, but provided no official comments; and

WHEREAS, on April 30, 2025, the City issued a *SEPA Determination of Non-significance* with a 14-day comment period ending on May 14th with no comments received; and

WHEREAS, the City Council heard a staff presentation and considered the State Legislature's requirements from HB 1110, HB 2321, and SB 5258 during their regular meeting held January 21, 2025; and

WHEREAS, the City Council heard a presentation from staff and MAKERS, and considered the Planning Commission's recommended amendments during their regular meeting held on April 21, 2025; and

WHEREAS, the City Council hereby adopts the findings in the Planning Commission Resolution and finds the proposed amendments are in the best interest of the citizens and property owners of the City, and comply with the requirements of Engrossed Second Substitute House Bill 1110, Engrossed Substitute House Bill 2321, and Engrossed Second Substitute Senate Bill 5258;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. University Place Municipal Code Section 19.10.030 Amended. Section 19.10.030 of the University Place Municipal Code entitled, "Definitions" is amended to read as set forth in **Exhibit A** attached hereto.

Section 2. University Place Municipal Code Section 19.20.030 Amended. Section 19.20.030 of the University Place Municipal Code entitled, "Zones" is amended to read as set forth in **Exhibit B** attached hereto.

Section 3. University Place Municipal Code Sections 19.25.040, 19.25.110, and 19.25.120 Amended. Section 19.25.040 entitled, "Residential Use Category – Descriptions," Section 19.25.110 entitled, "Use Tables," and Section 19.25.120 entitled, "Use Table Notes" of the University Place Municipal Code are amended to read as set forth in **Exhibit C** attached hereto.

Section 4. University Place Municipal Code Sections 19.45.030, a new Section 19.45.035, Section 19.45.100, and Section 19.45.110 Amended. Section 19.45.030 entitled, "Density Standards," a new Section 19.45.035 entitled, "Units Allowed Per Lot," and Section 19.45.100 entitled, "Density and Dimensions Tables," and Section 19.45.110 entitled, "Density and Dimension Table Notes" of the University Place Municipal Code are created/amended to read as set forth in **Exhibit D** attached hereto.

Section 5. University Place Municipal Code Chapter 19.47 created. A new Chapter 19.47 entitled, "Middle Housing Design Standards" of the University Place Municipal Code has been created as set forth in **Exhibit E** attached hereto.

Section 6. University Place Municipal Code Section 19.60.050 Amended. Section 19.60.050 entitled, "Off-Street Parking Spaces Required for Particular Uses" of the University Place Municipal Code is amended to read as set forth in **Exhibit F** attached hereto.

Section 7. University Place Municipal Code Section 19.70.010 Amended. Section 19.70.010 entitled, "Accessory Dwelling Units" of the University Place Municipal Code is amended to read as set forth in **Exhibit G** attached hereto.

Section 8. University Place Municipal Code Section 13.20.245 Amended. Section 13.20.245 entitled, “Driveways” of the University Place Municipal Code is amended to read as set forth in **Exhibit H** attached hereto.

Section 9. University Place Municipal Code Section 21.05.020 Amended. Section 21.05.020 entitled, “Applicability” of the University Place Municipal Code is amended to read as set forth in **Exhibit I** attached hereto.

Section 10. University Place Municipal Code Section 21.10.010 Amended. Section 21.10.010 entitled, “Definitions” of the University Place Municipal Code is amended to read as set forth in **Exhibit J** attached hereto.

Section 11. University Place Municipal Code Section 21.35.010 Amended. Section 21.35.010 entitled, “Applicability” of the University Place Municipal Code is amended to read as set forth in **Exhibit K** attached hereto.

Section 12. University Place Municipal Code Section 21.50.010 Amended. Section 21.50.010 entitled, “Purpose” of the University Place Municipal Code is amended to read as set forth in **Exhibit L** attached hereto.

Section 13. University Place Municipal Code Section 21.55.030 Amended. Section 21.55.030 entitled, “Critical Areas” of the University Place Municipal Code is amended to read as set forth in **Exhibit M** attached hereto.

Section 14. University Place Municipal Code Section 21.60.020 Amended. Section 21.60.020 entitled, “Scope” of the University Place Municipal Code is amended to read as set forth in **Exhibit N** attached hereto.

Section 15. University Place Municipal Code Section 21.65.050 and Title 21, Appendix B Amended. Section 21.65.050 entitled, “Administrative Review,” and Title 21, Appendix B entitled, “Plat Requirements Matrix” of the University Place Municipal Code is amended to read as set forth in **Exhibit O** attached hereto.

Section 16. University Place Municipal Code Chapter 21.75 Created. A new Chapter 21.75 entitled, “Unit Lot Subdivisions” of the University Place Municipal Code has been created as set forth in **Exhibit P** attached hereto.

Section 17. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 18. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 19. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

PASSED BY THE CITY COUNCIL ON JUNE 2, 2025.

Javier H. Figueroa, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Date of Publication: xx/xx/xx

Effective Date: xx/xx/xx

EXHIBIT A

Section 19.10.030

Definitions

19.10.030 Definitions.

“Abut” means to be contiguous with or touching property lines or right-of-way.

“Accessory dwelling unit” means an ~~additional second~~ dwelling unit, detached from, added to, or created within a ~~principal residential building single-family detached dwelling~~ for use as a completely independent unit.

“Accessory structure” means a structure either attached or detached from a principal or main building and located on the same lot and which is customarily incidental and subordinate to the principal building or use.

“Accessory use” means a use of land or of a building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

“Adjacent” shall mean close, near, or directly across a street, but not abutting.

“Administrative permit” or **“administrative use permit”** means a written decision, granted by the Director, to authorize the development or operation of a proposed land use activity subject to special degrees of control. Administrative use permits include, but are not limited to, temporary use permits, recreational vehicle permits, minor amendments, and home occupation permits.

“Administrative review” means a process involving the judgment and discretion of the Director in applying specific decision criteria and requirements.

“Adult bathhouse” means a commercial bathhouse which excludes any person by virtue of age from all or any portion of the premises.

“Adult cabaret” means a commercial establishment which presents go-go dancers, strippers, male or female impersonators, or similar types of entertainment and which excludes any person by virtue of age from all or any portion of the premises.

“Adult entertainment” shall mean:

A. Any exhibition, performance or dance of any type conducted in a premises where such exhibition, performance or dance involves a person who is unclothed or in such costume, attire or clothing as to expose any portion of the nipple, the areola, or the lower half of the female breast or any portion of the pubic region, anus, buttocks, vulva or genitals, or wearing any device or covering exposed to view which simulates the appearance of any portion of the nipple, the areola, or the lower half of the female breast or any portion of the pubic region, anus, buttocks, vulva or genitals, or human male genitals in a discernibly turgid state, even if completely and opaquely covered; or

B. Any exhibition, performance or dance of any type conducted in a premises where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation or relation to the following specified sexual activities:

1. Human genitals in a state of sexual stimulation or arousal; or
2. Acts of human masturbation, sexual intercourse or sodomy; or

3. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; or

C. Any exhibition, performance or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance or dance is performed for, arranged with or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance, exhibition or dance. For purposes of example and not limitation, such exhibitions, performances or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing.

“Adult entertainment establishment” shall mean any commercial premises which is one of the following: adult motion picture theaters, adult drive-in theaters, adult bookstores, adult cabarets, adult video stores, adult retail stores, adult massage parlors, adult sauna parlors or adult bathhouses, which are defined as follows:

“Adult entertainment material” means any books, magazines, cards, pictures, periodicals or other printed matter, or photographs, films, motion pictures, video tapes, slides, or other photographic

reproductions, or visual representations, CD-ROMs, DVDs, disks, electronic media, or other such media, or instruments, devices, equipment, paraphernalia, toys, novelties, games, clothing or other merchandise or material, which are characterized by an emphasis on the depiction, description or simulation of “specified anatomical areas” or “specified sexual activities.”

“Adult live entertainment establishment” shall mean a commercial premises to which a member of the public is invited or admitted and where an entertainer provides live adult entertainment to a member of the public on a regular basis or as a substantial part of the premises’ activity.

“Adult massage parlor” means a commercial establishment in which massage or other touching of the human body is provided for a fee and which excludes any person by virtue of age from all or any portion of the premises.

“Adult motion picture theater” means a building, enclosure, or portion thereof, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” for observation by the patrons therein.

“Adult retail establishment” means any bookstore, adult novelty store, and adult video store, or other similar commercial establishment, business, service, or portion thereof, which, for money or any other form of consideration, provides as a significant or substantial portion of its stock-in-trade the sale, exchange, rental, loan, trade, transfer, and/or provision for viewing or use off the premises of adult entertainment material as defined in this chapter. For purposes of this provision, it shall be a rebuttable presumption that 30 percent or more of a business’s stock-in-trade in adult retail material, based on either the dollar value (wholesale or retail) or the number of titles of such material, is significant or substantial. In determining whether or not the presumption is rebutted, the Director may consider the following factors, which are not conclusive:

- A. Whether minors are prohibited from access to the premises of the establishment due to the adult entertainment nature of the inventory;
- B. Whether the establishment is advertised, marketed, or held out to be an adult merchandising facility;
- C. Whether adult entertainment material is an establishment’s primary or one of its principal business purposes; or
- D. Whether 30 percent or more of an establishment’s revenue is derived from adult entertainment material.

An establishment may have other principal business purposes that do not involve the offering for sale or rental of adult entertainment materials and still be categorized as an adult retail establishment. Such other business purposes will not serve to exempt such establishments from being categorized as an adult retail establishment so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, the specified adult entertainment materials. The Director shall have full discretion to give appropriate weight to the factors set forth above as well as other factors considered depending on the particular facts and circumstances of each application.

“Adult sauna parlor” means a commercial sauna establishment, which excludes any person, by virtue of age, from all or any portion of the premises.

“Affordable housing” means housing which is deemed affordable to those with household incomes at or below the area median income (AMI). Households in need include extreme low income (30 percent of AMI) very low income (50 percent of AMI) and low income (80 percent of AMI).

“Alter/alteration” means any change, addition, or modification in construction or occupancy of a building or structure or use of land.

“Amendment” means a change in the wording, context, or substance of this code or the Comprehensive Plan; a change in the zoning map or Comprehensive Plan map; a change to the official controls of City code; or any change to a condition of approval or modification of a permit or plans reviewed or approved by the Director or Hearings Examiner.

“Amendment, major” means any change of a discretionary land use permit that is beyond the scope of a minor amendment and requires the same procedure as the initial permit.

“Amendment, minor” means a limited change of a discretionary land use permit that is reviewed and approved, approved with conditions, or denied by the Director.

“Barn” means any building used for agricultural purposes that contains items generally associated with farming including, but not limited to, farm equipment such as tractors or farm animals such as livestock.

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles. There are three levels of battery charging stations based on the electrical force, or voltage, at which an electric vehicle’s battery is recharged.

Level 1 is considered slow charging and typically operates on a 15- or 20-amp breaker on a 120-volt alternating current (AC) circuit and standard outlet.

Level 2 is considered medium charging and typically operates on a 40-amp to 100-amp breaker on a 208- or 240-volt AC circuit.

Level 3 is considered fast or rapid charging primarily for commercial and public applications and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

“Battery electric vehicle (BEV)” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process.

“Beauty salon” means a service business operating to provide services related to hair, skin, nail and cosmetology care.

“Bed and breakfast house” means any owner-occupied single-family dwelling, in which travelers are lodged for two weeks or less and for which compensation of any kind is paid. Limited to four guestrooms. (For the purposes of this definition, a bed and breakfast house is not a hotel, inn, motel, or lodging or rooming house.)

“Berm” means a formed mound of earth that creates a visual and physical barrier between developments, roads, and/or sensitive areas.

“Biosolids” means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, and septage that can be beneficially recycled and meets all applicable health regulations.

“Brew pub” means an eating and drinking establishment having a microbrewery on the premises which produces beer, ale or other malt beverage and where most of the beer produced is consumed on premises. This classification allows a brew pub to sell beer at retail and/or act as a wholesaler for beer of its own production for off-site consumption, with appropriate State licenses.

“Building” means any structure having a roof supported by columns, posts, or walls for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

“Building, detached” means a building surrounded by open space on the same lot.

“Building, principal or main” means a building devoted to the principal use of the lot on which it is situated.

“Business activity” means any activity carried out for the purpose of financial gain for an individual or organization, whether profit or nonprofit.

“Business or commerce” means the purchase, sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures, and premises by professions and trades rendering services.

“Buy-back recycling center” means any business which collects, receives or buys recyclable materials from household, commercial or industrial sources for the purpose of sorting, grading, or packaging recyclables for subsequent shipment and marketing.

“Cemetery” means land used or intended to be used for the burial of human dead.

“Central office switching unit” means a switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers’ lines, farmer lines, toll lines and interoffice trunks.

“Character” means the distinctive features or attributes of buildings, uses, and site design on abutting and adjacent properties and in the vicinity as required in the Comprehensive Plan, including, but not limited to, building facade, building length, building modulation, building height, building location, roof

form, tree cover, types of flora, location of landscaping, size and location of signs, setbacks, amount of parking, location of parking, fencing type, fencing height, location of fencing and intensity of uses.

“Church.” See “Religious assembly.”

“Clubs and lodges” means a meeting place for recreational or social activities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers.

“Commercial vehicle” means any vehicle including, but not limited to, a car, truck, truck trailer, tractor, grading machine, bulldozer, scraper, boat, motorized crane, etc., that is used in the operation of a business to store, transfer, or deliver commodities or in construction, road grading, or logging activities.

“Composting facility” means a solid waste facility specializing in the composting of one or more organics of a known and consistent composition, other than mixed municipal waste, to produce a marketable product for reuse or as a soil conditioner. Feedstocks may include, but are not limited to, yard waste, biosolids or food waste.

“Composting facility, municipal solid waste” means a solid waste facility specializing in the composting of mixed waste from municipal sources to reduce the waste for final disposal or to produce a marketable product.

“Composting facility, small scale” means a facility or equipment used in the composting of organic feedstock such as yard waste or food waste to produce a product for use as a soil conditioner or amendment. Such product is intended for use on the property from which it was generated and is not intended for sale.

“Conditional use” means a use conditionally permitted in one or more zones as defined by this code but which, because of characteristics particular to each such use, size, technological processes, equipment, or because of the exact location with respect to surroundings, streets, existing improvements, or demands upon public facilities, requires a special degree of control to determine if uses can be made compatible with the Comprehensive Plan, abutting and adjacent uses, and the character of the vicinity.

“Conditional use permit” means the documented evidence of authority granted by the Examiner to locate a conditional use at a specific location.

“Correctional institution” means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including State prisons, County and local jails, and other facilities operated by the Department of Corrections or local governmental units primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

“Courtyard housing” means at least three dwelling units arranged on at least two sides of a yard or court.

“Craft production facility” means a commercial or light industrial use that involves the production of arts, crafts, food, and beverages with on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, they are compatible with and are often co-located with retail sales and service uses. Production examples and processes include ceramic art, glass art, candle-making, custom jewelry manufacture, craft foods and nonalcoholic beverages.

“Day care center, adult” means a center that regularly provides care and supervision for a period of less than 24 hours per day for a group of elderly or disabled adults who cannot safely be left alone.

“Day care center, child” means a facility, licensed by the State, which regularly provides care for a group of children for periods less than 24 hours per day. The term shall include, but is not limited to, facilities commonly known as “day care facilities,” “day care centers,” and “preschools.”

“Deck” means an attached or detached raised horizontal platform.

“Density” means the number of dwelling units allowed per net acre.

“Department” means the City of University Place Department of Community and Economic Development.

“Development” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, placement of manufactured homes/mobile homes, mining, dredging, clearing, filling, grading, stockpiling, paving, excavation, drilling or the subdivision of property.

“Development permit” means any document granting, or granting with conditions, approval of a land use decision, zoning or rezoning, subdivision plat, site plan, building permit, special exception, special use permit, variance, or any other official action of the City having the effect of authorizing the development of land.

“Development project” means a contiguous area developed, operated and maintained as a single entity accommodating residential, commercial, industrial or public use(s) or a combination of such uses which may or may not be under single ownership.

“Director” means the Director of the Department of Community and Economic Development or authorized designee.

“Discretionary land use permit” means a document granted by official action of the City which authorizes the development or use of land pursuant to a special use permit or administrative permit.

“Domestic animals” means dogs, cats, birds, and small rodents which can be and are continually kept or raised in a home. Animals not considered to be domestic animals include, but are not limited to, the following: horses, cows, goats, sheep, swine, donkeys, fowl, and any other exotic species of animals.

“Drive-through” means any establishment, business, or structure where service is provided to a customer and/or vehicle either from a service window, attendant or a self-service device with an access provided by a drive-through lane(s) incorporated into the site design.

“Drive-up” means a service that allows customers to be served while remaining in their vehicles, including but not limited to services where food or other items are delivered to or received from customers parked in designated parking stalls.

“Driveway” means a private vehicle access, which serves up to two single-family dwelling units, multifamily or commercial development.

“Dry sewer facilities” means sewer lines designed and constructed in accordance with the local sewer utility standards for future connection to the sewer provider’s sanitary sewerage system. Dry sewer lines shall be constructed from the property line to the structure they will serve.

“Duplex” means a ~~residential building with two dwelling units~~~~building containing two dwelling units, providing separate living accommodations within each unit, attached in pairs on a single lot.~~

“Dwelling” means a building or portion thereof designed exclusively for human habitation, including single-family, duplex and multiple-family dwellings, accessory dwelling units, live-work units, modular homes, manufactured homes and mobile homes, but not including hotel or motel units having no kitchens.

“Dwelling unit” means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen, sleeping and sanitary facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit.

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

“Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. There are three levels of battery charging stations based on the electrical force, or voltage, at which an electric vehicle’s battery is recharged.

Level 1 is considered slow charging and typically operates on a 15- or 20-amp breaker on a 120-volt alternating current (AC) circuit and standard outlet.

Level 2 is considered medium charging and typically operates on a 40-amp to 100-amp breaker on a 208- or 240-volt AC circuit.

Level 3 is considered fast or rapid charging primarily for commercial and public applications and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

“Electric vehicle charging station – restricted” means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

“Employees” means all persons, including proprietors, performing work on premises, or on all shifts, unless otherwise stated in specific sections of this code.

“Escort service” means an establishment where, for any form of consideration, companions are provided for which a fee of any kind is charged.

“Espresso stand” means a walk-up or auto-oriented (drive-through) business that dispenses hot and/or cold nonalcoholic beverages.

“Essential public facilities” means capital facilities typically hard to site (see WAC [365-196-550](#)).

“Examiner” means the City Hearings Examiner.

“Extended stay” means lodging containing four or more units/guestrooms that provides accommodation on a nontransient basis leased for a period of at least one month. Units/guestrooms which contain a kitchen constitute a residential dwelling unit.

“Family” means individuals consisting of two or more persons related by genetics, or adoption or marriage, or a group of five or fewer persons who are not related by genetics, adoption, or marriage and none of whom are wards of the court unless such wards are related by genetics, adoption or marriage to all of the members of such group living in a dwelling unit. For the purposes of this definition, persons with handicaps or otherwise protected by the Federal Fair Housing Act ([42 U.S.C. 3601](#) et seq.) shall not be counted as unrelated persons.

“Farm” means a parcel of land used for agricultural activities.

“Final development plan” means a plan or set of plans that complies with the conditions set forth in a preliminary approval and, once approved, serves as the final approval of a discretionary land use permit.

“Floor area” means the sum of the gross horizontal areas of all floors of the building or portion thereof devoted to a use, including storage areas. However, “floor area” shall not include attic storage, unfinished basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. The floor area shall be measured from the exterior face of exterior walls and from the centerline of walls dividing uses or establishments. See UPMC [19.45.080](#) for guidance on calculating floor area ratio.

“Floor area ratio (FAR)” means the floor area of the building or buildings on a lot or on a project site divided by the area of such lot or project site, excluding any public facilities and structured parking.

“Fourplex” means a residential building with four dwelling units.

“Frequent transit stop” means a transit stop that meets the conditions of RCW 36.70A.696(8).

“Funeral and interment services” means establishments primarily engaged in the provision of services involving the care, preparation, and disposition of human dead. Typical uses include crematories, mausoleums or mortuaries.

“Garage, private” means an accessory building or an accessory portion of the main building, enclosed on not less than three sides and designed or used only for the shelter or storage of vehicles owned or operated only by the occupants of the main building or buildings.

“Glare” means unwanted light that causes eyestrain, discomfort, nuisance, or adversely affects a visual task.

“Golf course facility” means a recreational facility, under public or private ownership, designed and developed for golf activities with accessory uses including, but not limited to, a driving range, miniature golf, pro shops, caddy shack buildings, swimming pools, tennis courts, restaurants, office and meeting rooms and related storage facilities.

“Grade – average, finished” means the post-construction average elevation of the ground surface as measured at finished grade from base points located at the four corners of the foundation or, if the foundation of a structure does not form a rectangle, at the four corners of the smallest rectangle which surrounds the foundation.

“Grade – existing” means the surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this title.

“Grade, finished” means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within an area between the structure and property line or, where the property line is more than five feet from the structure, between the structure and a line five feet from the structure.

“Gross vehicle weight” means the total weight of a vehicle including the weight it is licensed to carry, intended to carry, or carrying, whichever is greater.

“Hazardous substance” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste, and including waste oil and petroleum products.

“Hazardous substance processing or handling” means the use, storage, manufacture, or other land use activity involving hazardous substances but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. Hazardous substances shall not be disposed of on site unless in compliance with Dangerous

Waste Regulations, Chapter [173-303](#) WAC, and any pertinent local ordinances, such as sewer discharge standards.

“Hazardous waste” means and includes all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.105](#) RCW and Chapter [173-303](#) WAC.

A. **“Dangerous waste”** shall mean any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

1. Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
 2. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.
- B. **“Extremely hazardous waste”** shall mean any waste which:

1. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of man or wildlife; and
2. Is disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.

“Health club facilities” means a use offering exercise equipment for public use, and services such as, but not limited to, expertise and instruction for fitness training and aerobics classes. The use does not include massage or other medically related services.

“Hearings Examiner review” means a process involving the judgment and discretion of the Examiner in applying specific decision criteria and other requirements unique to a particular use in the approval of an activity permitted, or permitted conditionally, within a zone.

“Height, building or structure” means the vertical distance from the average finished grade measured to the highest point of a building or structure.

“Hobby farm” means noncommercial agricultural activities, including the raising of farm animals and placement of associated farm structures, established on a lot without a principal dwelling unit.

“Home-based day care, adult” means a facility, located in a dwelling unit, that regularly provides care for a period of less than 24 hours per day for no more than 12 elderly or disabled adults who cannot safely be left alone.

“Home-based day care, child” means a facility, licensed by the State, that regularly provides care for a period of less than 24 hours per day for no more than 12 children and is located in an owner-occupied dwelling unit.

“Home occupation” means any activity conducted primarily for financial gain or profit in the principal residence or a permitted accessory structure, which is clearly incidental and secondary to the residential use of the property. An activity inconsistent with the performance standards of this chapter shall be subject to the provisions of this code, even if such activity is conducted without monetary compensation or on a not-for-profit basis.

“Hotel” or **“motel”** means lodging containing four or more guestrooms which may provide incidental services such as restaurants, meeting rooms or recreational facilities provided for compensation at a nightly rate.

“Inoperable vehicle” means a vehicle which is apparently inoperable or which requires repairs in order to be operated legally on public roads, such as repair or replacement of a window, windshield, wheel, tire, motor or transmission.

“Interim on-site septic system” means a new or remodeled on-site septic system permitted after the effective date of the ordinance codified in this section. Interim systems are intended to be temporary in nature until such time as sanitary sewers become available. Interim on-site septic systems will meet the requirements of the Tacoma-Pierce County Health Department.

“Interim propane storage system” means propane storage facilities serving one or more customers on an interim basis until extension of natural gas service is feasible.

“Kennel” means a house, enclosure, or other structure in which any combination of six or more dogs or cats that individually exceed seven months of age are kept for breeding, sale, training, boarding, or sporting purposes, or are kept or cared for as pets or for any other purpose.

“Kitchen” means any room or area used, intended, or designed to be used for the cooking or preparation of food that contains a range, stove, oven or cooktop that is serviced by gas or a 220/240v outlet, and a kitchen-type sink.

“Landfill” means a solid waste facility for the permanent disposal of solid wastes in or on the land and which needs a solid waste permit under Chapter [70.95 RCW](#).

“Live-work unit” means a dwelling unit or sleeping unit in which a significant portion of the space includes a nonresidential use that is operated by the tenant. Nonresidential use is limited to no more than 50 percent of floor area.

“Livestock” means all cattle, sheep, goats, or animals of the bovidae family; all horses, mules, or animals of the equidae family; all pigs, swine, or animals of the suidae family; and ostriches, rhea, and emu.

“Lodging” means any building or group of buildings containing units/guestrooms where accommodations are provided (with or without meals) for compensation. All lodging is either (1) hotel or motel; (2) rooming house; (3) extended stay; or (4) bed and breakfast.

“Lot” means a designated parcel, tract, or area of land established by plat, subdivision or as otherwise permitted by law to be used, developed or built upon as a unit.

“Lot area” means the total area within the lot lines of a lot, excluding any street area.

“Lot, corner” means a lot situated at the intersection of two or more streets, having an interior angle of less than 135 degrees. On a corner lot, all yards abutting street rights-of-way shall be considered front yards. See Figure 1.

“Lot, interior” means a lot other than a corner lot. See Figure 1.

“Lot line” means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space. See Figure 1.

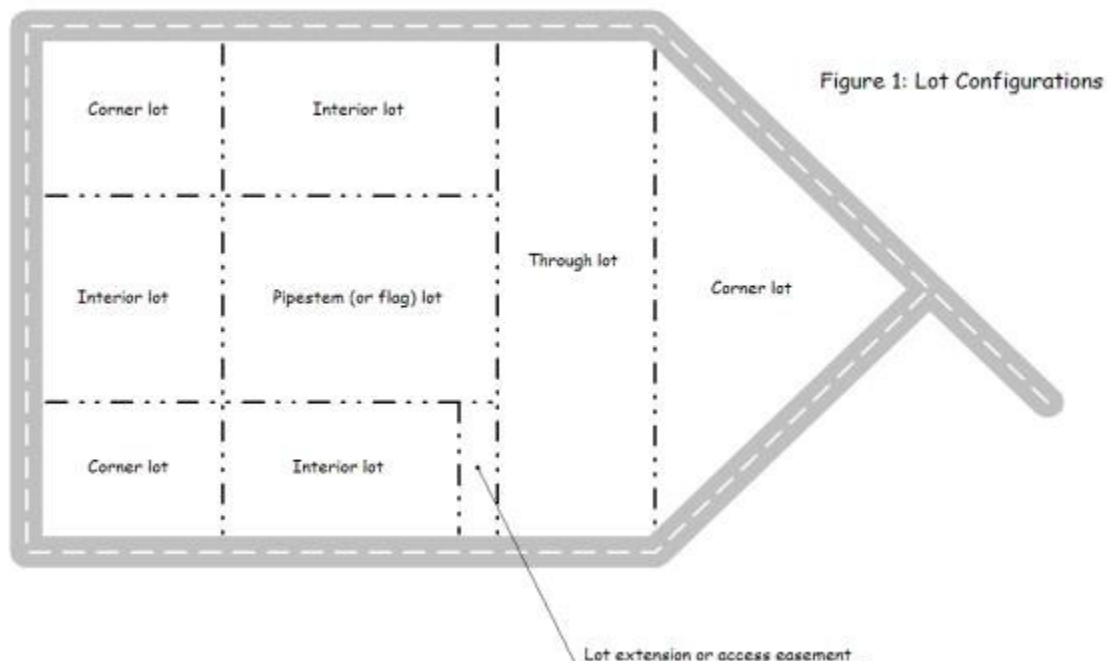
“Lot line, front” means the portion of a lot line abutting a street or railroad right-of-way. See Figure 1.

“Lot line, rear” means the lot line opposite and most distant from the front lot line. See Figure 1.

“Lot line, side” means any lot line other than a front or rear lot line. See Figure 1.

“Lot of record” means an area of land designated as a lot on the plat or subdivision recorded or registered, pursuant to statute, with the Auditor of Pierce County.

“Lot, pipestem” means a lot which gains street access by way of a driveway easement or lot extension which is too narrow to be built upon. When a pipestem-shaped lot abuts two or more streets it shall not meet this definition of a pipe-stem lot. See Figure 1.



“Lot size, minimum” means the smallest lot that can be created through a land division process, consistent with applicable development regulations.

“Lot, substandard” means a parcel of land that has less than the minimum area or minimum dimensions required in the zone in which the lot is located.

“Lot, through” means a lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot. See Figure 1.

“Major improvement” shall mean improvements to the interior and/or exterior of a principal building, except normal maintenance and repair and life/safety improvements, which within a 12-month period exceed a cumulative value of 25 percent of the assessed value as assessed by the Pierce County Assessor’s Office of the principal building. The 12-month period shall include the value of all improvements made in conjunction with permits issued within a 12-month period preceding the application for a new permit. Normal maintenance and repair and life/safety improvements include but are not limited to reroofing, painting, recarpeting, fire sprinkler installation, and improved exiting and accessibility.

“Major redevelopment” shall mean the redevelopment of or addition to a principal building or principal buildings within a development project, except normal maintenance and repair and life/safety improvements, which result in the remodeling of or addition of 25 percent or more of the gross floor area of the existing building or, collectively, to any buildings in a development project. Normal maintenance and repair and life/safety improvements include but are not limited to reroofing, painting, recarpeting, fire sprinkler installation, and improved exiting and accessibility.

“Major transit stop” means a transit stop that meets the conditions of RCW 36.70A.030(25).

“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, constructed after June 15, 1976, in accordance with State and Federal requirements for manufactured homes, which:

- A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than nominal 3:12 pitch; and
- C. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built Uniform Building Code single-family residences.

“Massage parlor” means an establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered; this would include sensitivity studios, body painting studios, exercise studios, conversation studios, companionship studios, exotic dance studios, dating services or any other business title in which massage is a principal activity or principal purpose of the building. The title or name of the business cannot be used as a ruse to circumvent this definition. This definition shall not be construed to include a hospital, nursing home, medical clinic, medical practitioner or the office of a physician, surgeon, chiropractor, osteopath, physical therapist, or by a massage practitioner, licensed by the State pursuant to Chapter [18.108](#) RCW and whose principal activity is to treat the sick, injured, or infirm, nor barber shops or beauty salons in which massages are administered only to the scalp, the face, the neck or the shoulder. This definition shall not be construed to include a volunteer fire department, a volunteer rescue squad, or a nonprofit organization operating a community center, swimming pool, tennis court, or other educational, cultural, recreational and athletic facilities.

“Microbeverage production facility” means an establishment that manufactures alcoholic and nonalcoholic beverages for distribution on or off site. Examples include microbreweries, microdistilleries and microwineries. Microbeverage production facilities may operate in conjunction with a tasting room, retail outlet, and/or eating and drinking establishment.

“Microbrewery” means a business known as a craft brewery that produces 5,000 barrels or less of beer per calendar year. A microbrewery may sell beer of its own production directly to a customer for off-premises consumption and by all other legal means. A microbrewery may operate a tasting room or in conjunction with a Level 3 eating and drinking establishment. A microbrewery must be licensed by the Washington State Liquor and Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

“Microdistillery” means a business known as a craft distillery that produces 5,000 proof gallons or less of spirits per calendar year. A microdistillery may sell spirits of its own production directly to a customer for off-premises consumption and by all other legal means. A microdistillery may operate a tasting room or in conjunction with a Level 3 eating and drinking establishment. A microdistillery must be licensed by the

Washington State Liquor and Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

“Microwinery” means a business engaged primarily in the production, including crushing, fermentation, aging, and bottling, and distribution of no more than 5,000 cases of wine per year. A microwinery may sell wine of its own production directly to a customer for off-premises consumption and by all other legal means. A microwinery may operate a tasting room or in conjunction with a Level 3 eating and drinking establishment. A microwinery must be licensed by the Washington State Liquor and Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

“Middle housing” means residential buildings that are compatible in scale, form, and character with single-family houses and that contain two to four dwelling units. Middle housing includes duplexes, triplexes, fourplexes, townhouses, courtyard housing, and stacked flats.

“Miniwarehouse” means a facility consisting of separate storage units which are rented to customers having exclusive and independent access to their respective units for storage of residential- or commercial-oriented goods.

“Mobile food unit” means a readily movable eating and drinking establishment. Mobile food units include any vehicle, trailer, pushcart, motorized food wagon, stand, tent or structure not affixed to a permanent foundation, with or without wheels, which may be moved from one location to another under its own power or by other means.

“Mobile home” means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed prior to June 15, 1976.

“Mobile home/manufactured home park” means a tract of land designed and maintained under a single ownership or 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.

“Moderate risk waste fixed facility” means a solid waste transfer facility needing a solid waste permit which specializes in the collection of household hazardous waste for packaging for transport to a disposal facility for recycling. It may collect limited amounts of hazardous waste from small quantity generators (SQGs) who are businesses which generate hazardous waste in quantities below the threshold for regulation under Washington dangerous waste regulations (Chapter [70.105](#) RCW).

“Modular home” shall mean a dwelling that is designed for human habitation and is either entirely or substantially prefabricated or assembled at a place other than a building site and meets all of the requirements of Chapter [296-150A](#) WAC. Modular homes are also commonly referred to as factory-built housing, and for purposes of this title a modular home is considered single-family and duplex housing.

“Modulation” means a stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth, as a means of lessening the apparent bulk of a structure’s continuous exterior walls.

“Mount” means the structure or surface upon which personal wireless telecommunication facilities are mounted. There are three types of mounts:

- A. Building-Mounted. A personal wireless service facility mount fixed to the roof or side of a building.
- B. Ground-Mounted. A personal wireless service facility mount fixed to the ground, such as a tower.
- C. Structure-Mounted. A personal wireless service facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.

“Multifamily” means a structure containing three or more dwelling units, with the units joined to one another.

“Multifamily structures containing three to four dwelling units can also be defined as middle housing.”

“Museum” means an institution operated as a repository of natural, scientific, historical, cultural or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

“Net acre” is calculated by taking the total gross acreage and subtracting out surface water, undevelopable lands (e.g., wetlands) and street rights-of-way or street easements.

“New manufactured home” means any manufactured home required to be titled under RCW Title [46](#), which has not been previously titled to a retail purchaser, and is not a “used mobile home” as defined in RCW [82.45.032](#)(2).

“Nonconforming development” means a contiguous area developed, operated and maintained as a single entity accommodating a residential, commercial, industrial or public use or a combination of such uses, which was legal when established but no longer conforms to the applicable development standards, including, but not limited to, parking, loading, access, landscaping, screening, open space or design requirements.

“Nonconforming lot” means a lot that does not conform to the size, shape or density requirements of the zone where it is located.

“Nonconforming structure” means a building or structure which was legal when established but no longer conforms to development standards including, but not limited to, parking, landscaping, design, height, setback or coverage requirements.

“Nonconforming use” means the use of land, a building or a structure lawfully existing prior to August 31, 1995, or the effective date of the ordinance codified in this title or subsequent revisions or amendments thereto, and which no longer conforms with the use regulations of the zone in which it is located.

“Nude” or **“semi-nude”** shall mean a state of complete or partial undress in such costume, attire, or clothing so as to expose any portion of the nipple, the areola, or the lower half of the female breast or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

“Odor control structure” means equipment or structures appurtenant to wastewater conveyance facilities used to lessen the odors of the liquids being transported.

“Official controls” means legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of the City, and are the means of translating into regulations and ordinances all or any part of the general objectives of the Comprehensive Plan.

“Open space” means a substantially unimproved area in public or private ownership. Open space serves as a visual relief in the built environment and may be characterized by undisturbed natural vegetation or areas intended for passive recreation uses. Open space may be permanently dedicated to remain substantially unimproved.

“Outdoor storage” means the storage, outside of a building, of material not intended for immediate sale or exhibition.

“Owner occupant” means a property owner, as reflected in title records, that makes his or her legal residence at the site, and resides at the site more than six months out of any given year.

“Package wastewater treatment plant” means a pre-assembled, factory-built treatment plant. They can be the size of a motor home or larger.

“Panorama” or **“peepshow”** shall mean any device which, upon insertion of a coin or by any other means of payment, including membership fee or other charge, exhibits or displays a picture or view by film, video or by any other means, including observation of live performances.

“Panorama premises” means any premises or portion of a premises on which a panorama is located and which is open to the public, including through membership.

“Parent lot” means a lot which is subdivided into unit lots through the unit lot subdivision process.

“Park, community” means a park designed for organized activities and sports, although individual and family activities are also encouraged. Community parks usually exceed 10 acres in size, serve an area of at least two to three miles in radius and often have sport fields, water bodies, gardens, nature trails or similar facilities as the central focus of the park. Most often restroom and parking facilities are found at a community park.

“Park, linear trail” means a recreation area that has as a primary use hiking, biking, walking, and jogging. In some cases, linear trail parks may be used by equestrian groups. The trails within the park may vary in scale and surfacing and may also be used as a means of nonmotorized transportation connecting one destination point to another. Streets, roads and highways with widened shoulders or bike lanes are not included in this category.

“Park, neighborhood” means a combination playground and park designed primarily for unsupervised, unorganized recreation activities. Neighborhood parks are small (about three to 10 acres) and serve an area of approximately one-half mile in radius. In general, facilities recommended for a neighborhood park may include a children’s playground, picnic facilities, trails, nature areas, tennis courts, an outdoor basketball court and a multi-use field for soccer, youth league baseball, etc. Most often there are no restroom and parking facilities.

“Park, regional” means a large recreation area that serves an entire region. They are usually large in size and often include areas of natural quality suitable for outdoor recreation activities such as golfing, picnicking, boating, fishing, swimming, camping and hiking. If located within an urban area, regional parks may offer a wider range of facilities and activities which serve the entire region. Regional parks usually exceed 40 acres in area. Restroom and parking facilities are most often found at the site.

“Parking area” means an area accessible to vehicles, which area is provided, improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

“Parking area, public” means an open area other than a street, alley, or private parking area as defined herein, whether privately or publicly owned, which area is used for the parking of vehicles.

“Passive recreation” means an outdoor leisure time activity which usually occurs in a setting that has been preserved, as nearly as possible, in the original or natural condition. Passive recreation may occur in common open lawn areas and, where determined appropriate, critical area buffers, aquifer recharge and flood water storage areas. Activities may include picnicking, sightseeing, walking, hiking, biking, horseback riding, and nature walks. Accessory structures associated with passive recreation include playground equipment, picnic shelters and tables, barbecue pits, exercise stations, restroom facilities, benches, directory signs, garbage containers, and landscaped areas.

“Pasture land” means property on which grass or other plants grow and are used as food for grazing animals.

“Patio” means an uncovered paved horizontal surface constructed flush with the ground that adjoins a dwelling unit and is used for dining or recreation.

“Person” means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons, however organized.

“Personal wireless telecommunication facilities” shall be defined in the same manner as in [47 U.S.C. 332\(c\)\(7\)\(C\)](#), as they may be amended now or in the future, and includes facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

“Pet day care center” means a facility that provides for the care and supervision and/or the boarding of pets for a period of less than 24 hours per day. Boarding pets for more than 24 hours at a time is considered a kennel.

“Planned development district (PDD)” means a flexible zoning concept which provides an opportunity to mold a district so that it creates a more desirable environment and results in a better use of the land than that which could have been provided through the limiting standards provided in the regular zoning classifications. Planned development districts are no longer permitted by this title.

“Porch” means a covered deck or patio.

“Post office, branch” means a government-operated subdivision of a main post office station serving as a base for one or more carrier routes and providing customary customer postal service.

“Post office, contract station” means a privately operated, limited-service postal facility carried on as adjunct to a principal business or use.

“Post office, terminal” means the government-operated principal mail handling facility for a postal geographic service area.

“Preliminary approval” means an approval, based upon an application and conceptual plan for a discretionary land use permit, granted by the Director or Examiner which sets forth certain conditions that must be reflected on final development plans.

“Problem waste” means soils removed during the cleanup of a remedial action site, dangerous waste site, or other sites with harmful substances, but not designated dangerous wastes, and contaminated dredge spoils.

“Project site” means that portion of any lot, parcel, or tract or combinations thereof that encompasses all phases of the total project proposal.

“Public bathhouse” means an establishment where, for any form of consideration, baths or facilities for baths of any kind whatever are given or furnished for or in expectation of a fee, compensation or monetary consideration including, but not limited to, Finnish baths, Russian baths, sauna baths, Swedish baths, Turkish baths, baths by hot air, steam vapor, water or electric cabinet; provided, that “public bathhouse” for this definition does not include such baths or facilities for baths where no attendant or

other person administers or holds themselves out as administering massage treatment as defined in this section, either by physical manipulation of the body or by the use of equipment.

“Public facilities” means properties and facilities in which a public agency, jurisdiction, district or similar public entity has a real property interest including, but not limited to, streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, storm waste facilities, parks and recreational facilities, public buildings and schools.

“Public facility permit” means documented evidence of authority granted by the Examiner to locate a public facility at a specific location.

“Pump/lift station” means the part of a water collection or distribution system which raises water from a lower to a higher elevation.

“Recorded” means, unless otherwise stated, filed for record with the auditor of the County of Pierce, State of Washington.

“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.

“Recreational vehicle park” means a tract of land under single ownership or unified control developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tent campers for vacation or other similar short stay purposes.

“Recycling collection site” means a site with collection boxes or other containerized storage where citizens can leave materials for recycling.

“Recycling processor” means any large-scale buy-back recycling business or other industrial activity which specializes in collecting, storing and processing any waste, other than hazardous waste or municipal garbage, for reuse and which uses heavy mechanical equipment to do the processing. It may be a facility where commingled recyclables are sorted, baled or otherwise processed for transport off site which is referred to as a “clean” materials resource recovery facility (MRF).

“Religious assembly” means an establishment, the principal purpose of which is religious worship and/or memorial services. The principal building or other structure contains the sanctuary of the principal place of worship and includes related accessory uses.

“Religious assembly, place of” means an establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, and including accessory uses in the main building or in separate buildings or structures, including religious educational classrooms, assembly rooms, kitchen, library room or reading room, recreation hall, and a one-family dwelling unit, but excluding facilities for residence or for training of religious orders.

“Religious assembly uses” means uses that are secondary to religious purposes of the church and are considered as providing services to members and other individuals. These uses include, but are not limited to, cafeteria, child day care, educational classes, and social services.

“Remote switching unit” means a device or group of devices in a telephone system having the necessary equipment for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interfacilities trunks, normally dependent on one or more central office switching units for full operability.

“Right-of-way” means all public streets and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, bikeways and horse trails, whether improved or unimproved, including the air rights, subsurface rights and easements related thereto.

“Rooming house” means lodging within an owner-occupied dwelling unit where not more than four guestrooms are provided for compensation on other than a daily basis and which is not open to transient guests.

“Secure community transition facility” means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter [71.09](#) RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to Chapter [71.09](#) RCW and any community-based facilities established under Chapter [71.09](#) RCW and operated by the Washington State Secretary of Social and Health Services or the Secretary's designee.

“Sensitive receptor” shall mean any establishment that provides caretaking, education, or recreation for persons under 18 years of age, or a location where youth are likely to gather including but not limited to schools, school bus stops, day care facilities, dance studios, and park and recreation uses.

“Septage” means a semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

“Service provider” means the department, district or agency responsible for providing the specific public facility or service.

“Setback” means the minimum required distance between any structure and a specified line such as a lot, public right-of-way, private road, easement or buffer line that is required to remain free of structures unless otherwise provided herein. See Figure 1 in Chapter [19.45 UPMC](#).

“Sewage conveyance system” means pipelines, culverts, and appurtenances which transport wastewater and sewage from points of origin to wastewater treatment plants, or which convey treated wastewater to points of discharge. Also called wastewater conveyance systems.

“Sewage system, on-site” means any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on abutting or nearby property under control of the user where the system is not connected to a public or approved private sewer system. On-site systems shall be constructed to meet the requirements of the Tacoma-Pierce County Health Department.

“Single-family, detached” means a dwelling unit that is not attached to another dwelling unit by any means.

“Small animals” means all animals and birds except for livestock, wild animals and exotics.

“Soil” means the surface layer of earth supporting plant life.

“Soil treatment facility” means a solid waste facility which utilizes bioremediation, a thermal desorption process, or similar processes to treat petroleum-contaminated soil or vector waste for reuse or final disposal.

“Solid waste” means all wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants, septage from septic tanks, wood wastes, dangerous wastes, and problem wastes.

“Special use permit” means an approval by the Examiner for those types of development proposals which, due to the nature of the project, involve judgment or discretion in determining compliance with the approval requirements. Development proposals subject to special use permits include, but are not limited to, conditional use, public facilities, preliminary and final plats, shoreline substantial development, shoreline conditional use, shoreline variance, and major variance.

“Specified anatomical areas” means:

- A. Less than completely and/or opaquely covered human genitals, pubic region, buttock, or any portion of the nipple, the areola, or the lower half of the female breast;
- B. Human male genitals in a discernibly turgid state even if completely or opaquely covered.

“Specified sexual activities” shall mean an act of:

- A. Sexual intercourse within its ordinary meaning, occurring upon a penetration, however slight; or
- B. A penetration of the vagina or anus, however slight, by an object; or
- C. A contact between persons involving the sex organs of one person and the mouth or anus of another; or
- D. Masturbation, manual or instrumental, of oneself or one person by another; or
- E. Touching of the sex organs, anus, or female breasts, whether clothed or unclothed, of oneself or of one person by another.

“Stable, private” means an accessory building for the keeping of more than three horses, cows, or other similar domestic animals owned by the occupants of the premises and not kept for remuneration, hire, or sale.

“Stacked flat” means dwelling units in a residential building in which each floor, or a portion thereof, may be separately rented or owned.

“Stock-in-trade” means:

- A. The dollar value of all products, equipment, books, magazines, posters, pictures, periodicals, other printed materials, prerecorded video tapes, disks, or similar material readily available for purchase, rental, viewing or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons; or

B. The number of titles of all products, equipment, books, magazines, posters, pictures, periodicals, other printed materials, prerecorded video tapes, disks, or similar material readily available for purchase, rental, viewing or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

“Stormwater conveyance facilities” means features such as gutters, pipelines, culverts, manholes, weirs, manmade and natural channels, water quality filtration systems and drywells.

“Stormwater multiple use facilities” means stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities.

“Street, private” means a privately owned street that provides vehicle access on a commonly owned tract or private easement. Access is limited to not more than four dwelling units or nonresidential uses on separate parcels or any number of dwelling units or nonresidential uses on a single parcel. A private street may include property reserved for utilities, transmission lines and extensions, walkways, sidewalks, bikeways and other similar uses.

“Street, public” means a publicly owned and maintained right-of-way; provided, that where the City has acquired an easement from a property owner for right-of-way purposes, the easement area shall not be considered part of the street, but shall be considered part of the property and included in the calculations to determine density, minimum lot size, and setback requirements.

“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.

“Surface mine” shall mean any area or areas within one-half mile to each other, where extraction of minerals from the surface results in removal of 5,000 cubic yards of material, or more than three acres of disturbed area, or mined slopes greater than 30 feet high and steeper than one foot horizontal to one foot vertical, or more than one acre of disturbed area within an eight or greater acre area when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface occurs by the auger method or by reworking mine refuse or tailings, when these activities exceed the quantity, size, or height threshold listed above. “Surface mining” shall not include excavations and grading for on-site construction, on-site road maintenance or for the purpose of public safety or restoring the land following a natural disaster.

“Telecommunications radio relay station” means a facility containing structure and equipment for the transmission of telecommunications messages between telephone system facilities, by microwave radio or similar technologies.

“Temporary housing unit, construction” means a mobile or manufactured home or recreational vehicle which is placed on a lot or tract of land for the purpose of providing temporary housing for an individual or a representative who is in the process of constructing a permanent use or structure on the same lot or tract.

“Temporary housing unit, family” means a mobile or manufactured home which is proposed to be located temporarily on a lot, parcel or tract of land. The lot's, parcel's, or tract's principal use shall be a single-family detached dwelling. The temporary housing unit shall be occupied by the parent or parents of the occupants of the dwelling, or not more than one individual who is a close relative of the occupants of the principal dwelling. An occupant of the temporary housing must be unable to independently maintain a separate type of residence without human assistance because of age, disability, prolonged infirmity, or other similar incapacitation.

“Temporary housing unit, public facility” means a single-wide mobile home or manufactured home to be used at public schools, fire stations, parks, or other public facilities for the purpose of providing on-site security, surveillance, and improved service at public facilities.

“Townhouse” means a dwelling unit attached to one or more such units by one or more common vertical walls in which each unit occupies the building from the bottom of the foundation to the roof and no unit is located over another unit.

“Toxic materials” means those materials which can cause injury to living organisms by chemical means when present in relatively small amounts.

“Tract” means any parcel of land, lot, building site, or contiguous combination thereof devoted to or intended to be devoted to a principal use and any other uses customarily accessory thereto.

“Transfer station” means a solid waste facility needing a solid waste permit which is a permanent, fixed supplemental collection and transportation facility, used by persons and route collection vehicles to

deposit collected solid waste from off site into a larger transfer vehicle for transport to a disposal facility. It may include baling or compaction activities or recycling facilities.

“Transfer station, drop box” means a solid waste facility needing a solid waste permit which is used for placement of a detachable container including the area entrance and exit roads, unloading and turnaround areas. The facility normally serves the general public with loose loads and receives waste from off site.

“Triplex” means a residential building with three dwelling units.

“Unit lot” means a lot created from a parent lot and approved through the unit lot subdivision process.

“Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

“Use” means the purpose or activity for which land or buildings are arranged, or intended, or for which land or buildings are occupied or maintained and shall include any manner of performance of such activity with respect to the performance standards of this zoning code.

“Use category” means a group of similar use types that are associated with each other to such an extent that they perform a specific land use function. Use categories are: civic, commercial, essential public facilities, office/business, industrial, residential, resource, and utilities.

“Use, permitted” means any use allowed in a zoning classification and subject to the restrictions applicable to the specific use.

“Use, principal” means the primary or predominant use of any lot or parcel.

“Use, temporary” means a use established for a limited duration with the intent to discontinue such use upon the expiration of the time period. Temporary uses include sales by temporary vendors, temporary housing units, temporary real estate offices, temporary construction buildings, and COWs and personal wireless telecommunications facilities exempt under UPMC [23.45.030](#).

“Use type” means a group of similar uses that are fundamentally related to each other, contain equivalent characteristics, and which fall within the same use category.

“Utility or public maintenance facility” means facilities for open and enclosed storage, and maintenance of vehicles, equipment, or related materials used in a utility or public facility.

“Variance” means an adjustment to the development standards of the zoning regulation that does not apply to use or density, and that is reviewed and approved, modified, or denied by an administrative officer or the Examiner after at least one public hearing or the Director after obtaining an administrative use permit.

“Vehicle repair, major” means servicing, repairing, or restoring of vehicles including but not limited to engine work, auto body work, or any other work that may involve dismantling of an automobile or body work that typically requires more than a day to accomplish.

“Vehicle repair, minor” means oil changes, tire changes, replacing headlights and windshield wipers and specialized work to restore antique vehicles. Except for restoring antique vehicles, this is typically work that can be accomplished within a relatively short period of time and that can be completed within one day.

“Waste separation and recovery facility” means a solid waste facility needing a solid waste permit where mixed solid waste is collected and processed to segregate recyclable components from that portion of the waste stream which is to be permanently disposed. It may be referred to as a materials resource recovery facility (MRF) or as a “dirty MRF.”

“Waste to energy (WTE) facility” means any solid waste facility designed as a combustion plant to dispose of solid waste or to recover energy in a usable form from mass burning, refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste and which requires a solid waste permit under Chapter [70.95](#) RCW.

“Waste to energy facility, municipal solid” means a combustion plant specializing in disposal of or energy recovery from mixed waste from municipal sources. These facilities are often referred to as municipal incinerators.

“Waste to energy facility, special” means a combustion plant designed to burn more than 12 tons per day and specializing in disposal of or energy recovery from a single type of waste of known and consistent composition, other than municipal waste, such as tires or infectious waste.

“Wastewater” means water carrying waste from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the sewer system through infiltration and inflow.

“Wastewater transfer facility” means equipment, structures, driving and parking surfaces, and appurtenances used for loading wastewater for transport to wastewater treatment facilities.

“Wild animal” means an untamed or undomesticated animal including but not limited to wolves, coyotes, foxes, bears, cougars, bobcats, deer, raccoons, beavers, and raptors.

“Yard” means a space defined by the required setback on any lot, unoccupied by a structure and unobstructed from the ground upward except as otherwise provided herein.

“Yard, front” means a yard lying between the minimum setback line for a structure and the front lot line and extending across the full width of the lot. See the figures in Chapter [19.45](#) UPMC.

“Yard, rear” means a yard lying between the minimum setback line for a structure and the rear lot line and extending across the full width of the lot. See the figures in Chapter [19.45](#) UPMC.

“Yard sale” means all temporary and intermittent sales that may be variously referred to as “yard sale,” “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “estate sale,” or any similar casual sale of tangible personal property from a residence or community use that is advertised by any means whereby the public at large is or can be made aware of the sale, and that is clearly secondary to the primary use of the site.

“Yard, side” means all yards except front yards and rear yards. See the figures in Chapter [19.45](#) UPMC.

“Zone classification” means an area accurately defined as to boundaries and location, and classified by the zoning code as available for certain types of uses and within which other types of uses are excluded.

EXHIBIT B

Section 19.20.030

Zones

19.20.030 Zones.

A. Purpose. The purpose of zones is to divide the City into areas or zones to achieve the goals and policies of the Comprehensive Plan. Foremost amongst the goals of the City's Comprehensive Plan is to protect residential areas from incompatible land uses, encourage economic development, protect the environment, maintain the City's character, and improve and maintain quality of life. Zones separate or combine various land uses, help maintain property values, protect public health, safety and welfare and aid in City administration. Use, density, building height, setbacks and sign types are examples of land uses regulated by zone.

B. Zones.

1. Residential 1 (R1). Single-family neighborhoods with areas of middle housing comprise a large percentage of the City's land area. Consistent with community preferences, protection of single-family residential neighborhoods is a priority in the Comprehensive Plan. To protect and enhance the character of these neighborhoods, properties within them are zoned R1. A base density of ~~two~~four dwelling units per ~~lot acre~~ is allowed, with four dwelling units per lot allowed if one unit is affordable or near major transit. ~~Four up~~ to six units per ~~lot acre~~ are permitted for small lot development through the design standard review process, when designed consistent with the small lot design standards and guidelines adopted by reference in Chapter 19.53 UPMC. These standards and guidelines are intended to ensure that new development is integrated into the community and compatible with the surrounding context while providing functional, safe, vibrant and desirable neighborhoods. ~~Duplexes may be developed at a base density of five dwelling units per acre.~~ Uses allowed include single-family attached and detached dwellings, duplexes, triplexes, fourplexes, townhomes, courtyard housing, attached and detached single-family/duplex housing, small lot housing, attached and detached accessory dwelling units, adult family homes, Level I group homes, schools, public parks, community centers, family day care, religious assembly, appropriate home occupations, and distribution and collection utilities. The character of R1 neighborhoods shall be protected and enhanced by eliminating and disallowing inappropriate uses; limiting traffic impacts; requiring compliance with screening, buffering and other design standards for adjacent high density residential, commercial, mixed use and industrial development; preserving and protecting the physical environment; and providing interconnecting pedestrian and bicycle facilities, including sidewalks and trails to schools, shopping, services, and recreational facilities.

2. Residential 2 (R2). To achieve a mix of housing types and densities while maintaining healthy residential neighborhoods, the R2 classification applies to areas that have developed with a mix of single-family attached and detached housing. A base density of ~~two~~six dwelling units per ~~lot acre~~ is allowed, with four dwelling units per lot allowed if one unit is affordable or near major transit. ~~Six up~~ to nine units per acre are permitted for small lot development through the design standard review process, when designed consistent with the small lot design standards and guidelines adopted by reference in Chapter 19.53 UPMC. These standards and guidelines are intended to ensure that new development is integrated into the community and compatible with the surrounding context while providing functional, safe, vibrant and desirable neighborhoods. Uses allowed include single-family attached and detached dwellings, duplexes, triplexes, fourplexes, townhomes, courtyard housing, attached and detached single-family/duplex housing, small lot housing, attached and detached accessory dwelling units, adult family homes, Level I group homes, schools, family day care, assisted living and nursing homes, religious assembly, public parks, community centers, appropriate home occupations, and distribution and collection utilities. The character of these neighborhoods shall be preserved and enhanced by eliminating and disallowing inappropriate uses; limiting traffic impacts; requiring compliance with screening, buffering and other design standards for adjacent high density residential, commercial, mixed use and industrial

development; preserving and protecting the physical environment; providing opportunities for a wide range of high quality housing choices; and providing interconnecting pedestrian and bicycle facilities, including sidewalks and trails to schools, shopping, services, and recreational facilities.

3. Multifamily Residential – Low (MF-L). Multifamily Residential – Low zones are located along major arterials and transit routes, close to shopping, public facilities and services, and in areas of existing lower density residential development. In the MF-L zone, a base density of 35 dwelling units per acre is allowed through the design standard review process, when a project is designed consistent with the multifamily design standards and guidelines adopted by reference in Chapter [19.53](#) UPMC. Density may be increased to a maximum of 40 units per acre when an affordable housing component is included in a development. Uses allowed in the MF-L zone include multifamily housing, attached and detached single-family/duplex housing, nursing homes and assisted living facilities, mobile and manufactured housing, adult family homes, Level I group homes, schools, public and private parks, community centers, family day care, religious assembly, appropriate home occupations, and distribution and collection utilities. Compliance with design standards is required and screening, buffers, open space, landscaping, and other design elements shall be incorporated into all development to mitigate adverse impacts that may be associated with the transition between different densities and land uses. Pedestrian sidewalks, trails and bicycle facilities shall be provided for access to schools, shopping, services, and recreational facilities.

4. Multifamily Residential – High (MF-H). Multifamily Residential – High zones are located along major arterials and transit routes, close to shopping, public facilities and services, and in areas of existing higher density residential development. In the MF-H zone, a base density of 55 dwelling units per acre is allowed through the design standard review process, when a project is designed consistent with the multifamily design standards and guidelines adopted by reference in Chapter [19.53](#) UPMC. Density may be increased to a maximum of 60 units per acre when an affordable housing component is included in a development. Uses allowed in the MF-H zone include multifamily housing, attached and detached single-family/duplex housing, nursing homes and assisted living facilities, mobile and manufactured housing, adult family homes, Level I group homes, schools, public and private parks, community centers, family day care, religious assembly, appropriate home occupations, and distribution and collection utilities. Compliance with design standards is required and screening, buffers, open space, landscaping, and other design elements shall be incorporated into all development to mitigate adverse impacts that may be associated with the transition between different densities and land uses. Pedestrian sidewalks, trails and bicycle facilities shall be provided for access to schools, shopping, services, and recreational facilities.

5. Mixed Use – Office (MU-O). It is the City's intent to create a well-balanced, well-organized combination of land uses that recognizes historic development patterns and protects adjoining residential neighborhoods from incompatible uses. The MU-O classification serves as a transition zone providing separation between more intense commercial activities and residential areas at the corner of 54th Avenue and Bridgeport Way. A base density of 60 dwelling units per acre is allowed through the design standard review process, when a project is designed consistent with the design standards adopted by reference in Chapter [19.50](#) UPMC. Uses allowed include multifamily housing, adult family homes, Level I group homes, nursing homes and assisted living facilities, day care, religious assembly, professional offices, limited retail uses, public parks, community centers and cultural services, government services, and distribution and collection utilities. New multifamily will be allowed only in conjunction with other permitted commercial uses. Screening, buffers, landscaping, and other design elements shall be incorporated into all development to mitigate adverse impacts that may be associated with the transition between different densities and land uses. Sidewalks and public open spaces shall be provided to encourage a pedestrian-friendly atmosphere and connections with transit stops, schools, shopping, services, and recreational facilities.

6. Mixed Use (MU). The MU classification is associated with properties located at 19th Street West and Bridgeport Way and on Orchard Street north of Cirque Drive. A base density of 60 dwelling units per acre is allowed through the design standard review process. Density may be increased to a maximum of 65 units per acre when an affordable housing component is included in a development. Maximum height is 45 feet. Uses allowed include multifamily housing, attached single-family housing, adult family homes, Level I group homes, nursing homes and assisted living facilities, day care, religious

assembly, professional offices, retail sales, personal services, eating and drinking establishments, hotels and motels, amusement and recreation, public and private parks, community centers and cultural services, government services, and distribution and collection utilities. Developments that include a mix of retail, personal services, offices, and residential uses are encouraged. Sidewalks, bicycle facilities, and public open spaces shall be provided to encourage a pedestrian-friendly atmosphere and connections with transit stops, schools, shopping, services, and recreational facilities.

7. Neighborhood Commercial (NC). To help achieve a mix of commercial uses that primarily serves the needs of local residents and businesses, the Neighborhood Commercial classification applies to the intersections of 67th Avenue West and Bridgeport Way, and Cirque Drive and Orchard Street. The NC areas are compact centers that provide a mix of retail sales, personal services, professional offices, public parks, community centers and cultural services, government services, and vehicle repair and service that serve the daily needs of the portion of the City where they are located. Residential development is limited to adult family homes, bed and breakfasts, and attached single-family housing. Screening, buffers, landscaping, and other design elements shall be incorporated into all development to mitigate adverse impacts that may be associated with the transition between the Neighborhood Commercial zones and adjoining residential zones. Landscaping, sidewalks and public open spaces shall be provided to encourage a pedestrian-friendly atmosphere.

8. Mixed Use – Neighborhood (MU-N45). The MU-N45 zone serves as a transition zone providing separation between more intense commercial activities and residential areas. Uses allowed include multifamily housing, adult family homes, nursing homes and assisted living facilities, day care, religious assembly, professional offices, retail uses, public parks, public and private recreation, government services, and minor utility distribution facilities. A maximum building height of 45 feet is allowed, to mitigate visual impacts to adjacent residential areas. Building types and construction include multiplex, townhouse, courts, live-work units, commercial and mixed use building types of up to four levels of wood frame construction. Screening, buffers, landscaping, and other design elements shall be incorporated into all development to mitigate adverse impacts that may be associated with the transition between different densities and land uses. Sidewalks and public open spaces shall be provided to encourage a pedestrian-friendly atmosphere and connections with transit stops, schools, shopping, services, and recreational facilities.

9. Mixed Use – Urban (MU-U75). The MU-U75 zone applies to an area of multifamily residential and commercial uses along arterial streets. In most areas the Mixed Use – Urban zone is separated from single-family homes by the Mixed Use – Neighborhood zone. The Town Center from 42nd Street to 35th Street along Bridgeport Way, the commercial corridor along 27th Street east of Bridgeport Way, and the Grandview Plaza at the intersection of 27th Street and Grandview Drive are the MU-U75 areas. A building height of 75 feet is allowed in the MU-U75 zone. To mitigate impacts to adjacent single-family residential zones maximum height is reduced to 45 feet. Building types and construction include multiplexes, townhomes, courts, live-work units, commercial, liner and mixed use building types. The building height would allow five wood frame stories over a one- or two-level concrete podium. The form of development in the MU-U75 zone would generally be a mixed use with a focus on residential upper floors and active uses at the ground floor level. On arterial streets such as Bridgeport Way and 27th Street West the ground floor level may support retail, restaurants, office space and other active uses, while on other street frontages the ground floor level could be designed to support residential uses. Uses allowed include multifamily housing, nursing homes and assisted living facilities, day care, religious assembly, professional offices, retail sales, personal services, eating and drinking establishments, hotels and motels, public and private recreation, government services, and distribution and collection utilities. Developments that include a mix of retail, personal services, offices, and residential uses are encouraged. Screening, buffers, landscaping, and other design elements shall be incorporated into all developments to mitigate adverse impacts that may be associated with the transition between different densities and land uses. Sidewalks, bicycle facilities, and public open spaces shall be provided to encourage a pedestrian-friendly atmosphere and connections with transit stops, schools, shopping, services, and recreational facilities.

10. Mixed Use – Urban/Industrial (MU-U/I75). The MU-U/I75 zone, which has historically been used for light manufacturing and light industrial uses, is located south of 27th Street West between Morrison Road on the west, 67th Avenue on the east, and Morrison Pond on the south. Additional light industrial and business park uses are located along the east side of 70th Avenue West north of 27th Avenue West. The MU-U/I75 zone recognizes many of the existing uses in these areas as appropriate, while maintaining a separation of these uses from adjoining residential uses. A building height of 75 feet is allowed in the MU-U/I75 zone. To mitigate visual impacts a maximum building height of 45 feet is allowed adjacent to single-family residential zones. Building types and construction include multiplexes, townhouses, live-work units, courts, commercial, liner and mixed use building types. The building height would allow five wood frame stories over a one- or two-level concrete podium. The form of development in the MU-U/I75 zone would generally be mixed use with a focus on residential upper floors with active uses at the ground floor level. On 27th Street, the ground floor level needs to be designed to support retail, restaurants, office space, and other active uses, while on other street frontages, the ground floor level could be designed to support residential uses. Uses allowed in the MU-U/I75 zone include light and clean industries, storage and warehousing, vehicle sales, service and repair, contractor yards, retail sales, eating and drinking establishments, professional offices, amusement and recreational, multifamily, senior housing and assisted living, parks, government services, utility and public maintenance facilities and public transportation services. Development and redevelopment in the MU-U/I75 zone shall include features such as sidewalks, bicycle facilities, open space, landscaping, functional and attractive signage, traffic control and privately coordinated management and maintenance. Buffers and design elements shall be incorporated into all new developments and substantial redevelopments to mitigate adverse impacts that may be associated with the transition to adjacent zones and land uses.

11. Mixed Use – Center (MU-C110). The Mixed Use – Center zone is bounded by 19th Street to the north, 27th Street to the south, Mildred Street to the east and 70th Avenue to the west except that portion of 70th Street south of 22nd Street which is part of the Mixed Use Urban/Industrial zone. Building height of 110 feet is allowed in the MU-C110 zone. Building types and construction include, court, commercial, mixed use and liner building types. The building height would allow five wood frame stories over a one- or two-level concrete podium. The form of development in the MU-C110 zone would generally be mixed use with a focus on residential upper floors with active uses at the ground floor level. On 19th, 27th, and Mildred Streets, the ground floor level must be designed to accommodate retail, restaurants, office space, and other active uses, while on other street frontages, the ground floor level could be designed to support residential uses. Uses allowed in the MU-C110 zone include multifamily, senior housing and assisted living, retail, eating and drinking establishments, professional offices, amusement and recreational, parks, community and cultural services, government services, and distribution and collection utilities. Development and redevelopment in the MU-C110 zone shall include features such as sidewalks, bicycle facilities, open space, landscaping, functional and attractive signage, traffic control and privately coordinated management and maintenance. Buffers and design elements shall be incorporated into all new developments and substantial redevelopments to mitigate adverse impacts that may be associated with the transition to adjacent zones and land uses.

12. Parks and Open Space (POS). The purpose of the Parks and Open Space zone is to recognize those lands designated for City parks and public open space. Parks include developed City parks where typical uses include active and passive outdoor recreational activities, including but not limited to ball fields, sport courts, tot lots, trails, open space, and cultural activities. Park buildings and structures, concessionaires, general park operations and maintenance activities, storm drainage facilities, caretaker's quarters, other compatible public uses and structures, and uses customarily incidental to parks are also allowed. Open space includes undeveloped City park lands and critical areas such as wetlands, steep slopes, and stream corridors owned by the City. Until developed as park land, uses in these areas should be low impact, low intensity uses such as permanent open space, passive hiking trails, and passive interpretative trails.

13. Mixed Use – Maritime (MU-M). The Mixed Use – Maritime zone is intended to accommodate marinas, yacht clubs with boat moorage and related facilities and activities, and other boating facilities. The MU-M zone is also intended to accommodate mixed use development that may include a variety of

water-oriented commercial, transportation and light industrial uses, and moderate density residential uses, located in the vicinity of Day Island. A base density of 30 dwelling units per acre is allowed when a project is designed consistent with the design standards adopted by reference in Chapter [19.50](#) UPMC. Density may be increased to a maximum of 35 units per acre when an affordable housing component is included in a development. Additional purposes are to provide public access to the shoreline and recreational uses oriented toward the waterfront, and to accommodate non-water-oriented uses on a limited basis where appropriate. Under the MU-M zone, existing ecological functions are to be protected and ecological functions restored, where restoration is reasonably feasible, in areas that have been previously degraded, consistent with the intent of the Day Island Medium Intensity Shoreline Environment and other Shoreline Master Program requirements in UPMC Title [18](#), when applicable.

EXHIBIT C

Sections 19.25.040, 19.25.110, and 19.25.120

19.25.040 Residential use category - Descriptions.

The residential use category includes permanent or transient living accommodations for individuals, families or people with special needs. The residential category has been separated into the following types based upon distinguishing features such as type of structure; number, age and special needs of individuals who reside in the structure; and State and local licensing requirements.

A. Adult Family Home. Adult family home use type means a residential home in which a person or an entity is licensed to provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to a licensed operator, resident manager, or caregiver who resides in the home. (Chapter [70.128](#) RCW.) An adult family home shall not serve as a Level II group home.

B. Assisted Living Facilities. "Assisted living facilities" means any home or other institution that provides housing and basic services, assumes general responsibility for the safety and well-being of the residents, and may also provide domiciliary care to seven or more residents. Assisted living facilities do not include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations. Residential communities that include a mix of assisted living and independent housing facilities must meet the density requirements of the underlying zone for independent housing that includes dwelling units. An assisted living facility shall not serve as a Level II group home.

1. Level 1. Assisted living facilities:

- a. Located on an arterial street;
- b. Located on two or fewer acres;
- c. Limited to two stories in height; and
- d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials).

2. Level 2. Assisted living facilities:

- a. Located on an arterial street;
- b. Located on more than two acres;
- c. Limited to two stories in height;
- d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and
- e. Provides at least 20 percent of site area as open space.

3. Level 3. Assisted living facilities with none of the above restrictions.

C. Bed and Breakfast. Bed and breakfast use type is a dwelling unit within which no more than four guest bedrooms are available for paying guests. The number of guests is limited to no more than eight at any one time. A bed and breakfast shall not serve as a group home.

D. Level I group home use type includes group homes for the physically/mentally challenged, foster homes, and women's shelters and other groups protected by the Fair Housing Act or Washington's law against discrimination. Group homes are living accommodations for related or unrelated individuals with special needs. Individuals may be provided with a combination of personal care, social or counseling services and transportation.

Level II: See essential public facilities (UPMC [19.25.070\(B\)](#)).

E. Caretaker unit use type means a dwelling used exclusively as the residence for a caretaker or watchperson and their family.

F. Mobile Home. Mobile home use type refers to factory-assembled single-wide or double-wide structures which are equipped with the necessary service connections, and serve as living accommodations for a family.

G. Mobile/Manufactured Home Park. Mobile home park use type refers to developments maintained under single or multiple ownership with unified control, where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes which serve as living accommodations for families. Mobile home parks do not include mobile home subdivisions or recreational vehicle parks.

H. Multifamily Housing. Multifamily use type refers to three or more joined dwelling units except for Level 2 middle housing types, as specified in UPMC 19.25.040(K), in R1 or R2 zones or two or more detached single-family dwellings or duplexes on an individual lot that provide living accommodations for families.

I. Nursing Home. "Nursing home" means any home, place or institution that operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable properly to care for themselves. Nursing homes do not include general hospitals or other places that provide care and treatment for the acutely ill and maintain and operate facilities for major surgery or obstetrics, or both.

1. Level 1. Nursing homes:

- a. Located on an arterial street;
- b. Located on two or fewer acres;
- c. Limited to two stories in height; and
- d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials).

2. Level 2. Nursing homes:

- a. Located on an arterial street;
- b. Located on more than two acres;
- c. Limited to two stories in height;
- d. Maintains an architectural character similar to typical single-family and duplex residences including pitched roofs, modulated facades to divide the structure into smaller visual units, and architectural detailing (e.g., at windows and doors, ornamental use of building materials); and
- e. Provides at least 20 percent of site area as open space.

3. Level 3. Nursing homes with none of the above restrictions.

J. Single-Family Attached Housing. Single-family attached housing use type refers to a building containing two or more dwelling units that occupy space from the ground to the roof and are attached by one or more common walls located on one or more common lot lines. Each dwelling unit is located on a separate lot and may be occupied by no more than one family as defined in UPMC 19.10.030. Examples include, but are not limited to, row houses and townhouses where units are located side by side rather than stacked. Single-family attached housing is also considered a middle housing type as specified in UPMC 19.25.040(K), in R1 or R2 zones.

1. Level 1. Two attached units.

2. Level 2. More than two attached units.

K. Single-Family/~~Duplex~~ Housing. Single-family/~~duplex~~ housing use type refers to a building containing one ~~or two~~ dwelling units, ~~providing separate living accommodations within each unit. Single-family/duplex housing includes freestanding dwelling units that are not attached to another dwelling unit by any means, or two units attached in pairs on a single lot. A single-family/duplex housing unit may be occupied by no more than one family as defined in UPMC 19.10.030.~~

L. Middle Housing. Middle housing use type refers to buildings containing two to four dwelling units.

1. Level 1. Middle housing types containing two dwelling units.
2. Level 2. Middle housing types containing three to four dwelling units.

M.LRooming House. Rooming house use type refers to an owner-occupied dwelling unit where not more than four guestrooms are rented for living or staying temporarily for compensation on other than a daily basis.

NM. Extended Stay. Extended stay use type refers to lodging containing four or more units/guestrooms that provides accommodation on a nontransient basis leased for a period of at least one month. Units/guestrooms which contain a kitchen constitute a residential dwelling unit.

19.25.110 Use tables.

A. The following use tables indicate which uses are permitted in the R1, R2, MF-L, MF-H, POS, MU-O, MU, NC and MU-M zones. Uses permitted in the MU-N, MU-U, MU-U/I and MU-C zones are listed in UPMC 19.54.050. Zones are shown across the horizontal axis and use category and types are shown down the vertical axis.

B. Zone Acronyms. The following acronyms are used in the use tables in place of zone names:

Zone	Acronym
Residential 1	R1
Residential 2	R2
Multifamily Residential – Low	MF-L
Multifamily Residential – High	MF-H
Mixed Use – Office	MU-O
Neighborhood Commercial	NC
Mixed Use	MU
Mixed Use – Neighborhood	MU-N45
Mixed Use – Urban	MU-U75
Mixed Use – Urban/Industrial	MU-U/I75
Mixed Use – Center	MU-C110
Parks and Open Space	POS
Mixed Use – Maritime	MU-M

C. Symbols. The following symbols are employed in the use tables:

1. An "X" in a cell on the table indicates that the use type is not allowed in the zone listed at the top of the column.
2. A "P" in a cell on the table indicates that the use type is permitted subject to applicable standards in this code in the zone listed at the top of the column.
3. A "C" in a cell on the table indicates that the use type is permitted subject to the conditional use provisions specified in UPMC 19.85.020, Conditional use permits.
4. A "D" in a cell on the table indicates that the use type is permitted subject to design review under the provisions specified in UPMC 19.85.050, Design standard review.
5. An "A" in a cell on the table indicates that the use type is permitted subject to administrative review under the provisions specified in UPMC 19.85.010, Administrative use permits.
6. A number accompanying a "P," "C," "D" or "A" in a cell refers to the level of the use type, [as specified in UPMC 19.25.040](#), allowed in the zone listed at the top of the column. If a letter is not accompanied by a number, all levels of that use type are permitted, subject to appropriate review. The description of levels for each use type is contained in this chapter.

Residential Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
RESIDENTIAL USES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (27)
Adult family home (6 or fewer)	P	P	P	X	P	P	P	P
Assisted living facility	X	P1, C2	P3	X	P3	X	P3	X
Bed and breakfast (2)	P	P	P	X	P	P	X	X
Caretaker unit	X	X	X	P	X	X	X	P (22)
Extended stay lodging	P (32)	X	X	X	D (5)	X	D	X
Family day care facility	P	P	P	X	P	P	P	P
Level I group home	P	P	P	X	P	P	P	P
Live-work unit	X	X	X	X	D (5)	X	D (5)	D (17)
Mobile/manufactured home (3)	X	X	P	X	X	X	X	X
New manufactured home (4)	P	P	P	X	X	X	X	X
Mobile home park	X	X	C	X	X	X	X	X
Multifamily housing	X	X	D (17)	X	D (5)	X	D (5)	D (17)
Nursing home	X	P1, C2	P3	X	P3	X	P3	X
Rooming house	P	P	X	X	X	X	X	X
Single-family attached housing	P1, P2(30)	P1, P2(30)	P2	X	P2	P2	P2	X
Single-family/ duplex housing	P	P	P	X	X	P (28)	X	X
Middle housing (9)(12)	P1, P2(30)	P1, P2(30)						
Small lot housing	D (18)	D (18)	X	X	X	X	X	X

See notes in UPMC [19.25.120](#).

Civic and Recreation Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
CIVIC AND RECREATION USES	R1	R2	MF	POS	MU-O	NC	MU	MU-M (20, 21, 27)
Government services	X	X	X	P	P	P	P	X
Existing cemeteries/mortuaries	C	C	X	X	X	X	X	X
Community centers	C	C	C	P	P	P	P	P
Cultural services (museums, libraries)	X	X	X	P	C	P	P	P
Day care centers (exceeds 12)	C	C	P	X	P	P	P	P
Education	P1	P1	P1	X	P1	P1 (6), 4, C2	P1 (6), 4, C2, 3	P4
Hospitals/24-hour medical clinics	X	X	X	X	P, C2	P, C2	P, C2	X
Recreation – Public	P, C	P, C	P, C	P	P, C	P, C	P, C	P
Recreation – Nonprofit	P	P	C	X	X	C	C	P
Religious assemblies	P1, C	P1, C	P1, C	X	P1, C2	P	P	P1
Transportation	P1	P1	P1	X	P1, C2	P1, C2	P1, C2	P1, C2

See notes in UPMC [19.25.120](#).

Utilities/Essential Public Facilities/Resources Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
UTILITIES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)
Distribution and collection utilities	P	P	P	P	P	P	P	P
Recycling collection sites	P	P	P	P (19)	P	P	P	P
Utility and public maintenance facilities	X	X	X	P1, 2	X	X	P1, C2	P1, C2
Wireless telecommunications facilities (7)	C1, 2, 3	C1, 2, 3	C1, 2, 3, 4	P	C1, 2, 3, 4	C1, 2, 3, 4	P1, A2, 3, C4	P1, C2, 3
ESSENTIAL PUBLIC FACILITIES (8)	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)
Level II group homes	X	X	C	X	C	X	C	X
Recycling processors	X	X	X	X	X	X	X	X
Sewage treatment facilities	X	X	X	X	X	X	X	X
Waste transfer facilities	X	X	X	X	X	X	X	X
RESOURCE USES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)

Utilities/Essential Public Facilities/Resources Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
UTILITIES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)
Agricultural sales	X	X	X	P (note)	X	P	P	P
Fishery enhancement	X	X	X	X	X	X	X	P
Limited horse boarding	P	P	X	P	X	X	X	X

See notes in UPMC [19.25.120](#).

Commercial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
COMMERCIAL USES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)
Administrative and professional offices	X	X	X	X	P	P	P	P
Veterinary clinics/animal hospitals	X	X	X	X	C1	P1	P1	X
Adult entertainment	X	X	X	X	X	X	X	X
Amusement and recreation (private)	C (14)	X	X	X	X	P	P	P
Business support services	X	X	X	X	P	P	P	P
Commercial centers	X	X	X	X	X	C	C	X
Craft production facilities	X	X	X	X	X	X	X	P
Eating and drinking establishment	X	X	X	P	P	P1, 2, 3	P1, 3, C2	P1, 3
Garden center (11)	X	X	X	X	X	P	P	X
Health club (a.k.a. fitness center)	X	X	X	X	X	P	P	P
Kennels	X	X	X	X	X	X	X	X
Limited accessory retail (MU-O only)	X	X	X	X	P (13)	X	X	X
Hotels and motels (no RV)	X	X	X	X	X	C	P	P
Marinas and other boating facilities (launch ramps and covered moorage) (25)	P1 (23) P2 (24)	X	X	X	X	X	X	P2
Marijuana retail outlets (29)	X	X	X	X	X	X	C	X
Mini casinos	X	X	X	X	X	X	X	X
Movie theaters (indoor only)	X	X	X	X	X	P	C	X
Vehicle sales, repair, service	X	X	X	X	X	P1, 4	P1, C4	P6 (26)
Pawn shops	X	X	X	X	X	X	X	X
Personal services	X	X	X	X	P1 (10)	P1, C2	P1, C2	P1, C2
Pet day care	X	X	X	X	X	P	P	X

Commercial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
COMMERCIAL USES	R1	R2	MF	POS	MU-O (15)	NC	MU (15)	MU-M (20, 21, 27)
Rental and repair	X	X	X	X	X	P1, C2	P1, C2	P1 (26) C2 (26)
Retail sales (11)	X	X	X	X	X	P1, C2	P1, C2	P1
Wholesale trade (11)	X	X	X	X	X	X	C1	X

See notes in UPMC [19.25.120](#).

Light Industrial Use Types and Zone Classification Table

USE TYPES	ZONE CLASSIFICATIONS							
LIGHT INDUSTRIAL USES	R1	R2	MF	POS	MU-O	NC	MU	MU-M (20, 21, 27)
Boat building	X	X	X	X	X	X	X	C
Bulk fuel dealers	X	X	X	X	X	X	X	X
Buy-back recycling	X	X	X	X	X	X	X	X
Contractor yards	X	X	X	X	X	X	X	P (26)
Food and related products	X	X	X	X	X	X	X	C
Industrial services and repair	X	X	X	X	X	X	X	C
Limited manufacturing	X	X	X	X	X	X	X	P
Marijuana processor (29)	X	X	X	X	X	X	X	X
Marijuana producer (29)	X	X	X	X	X	X	X	X
Microbeverage production facilities	X	X	X	X	X	X	X	P
Motion picture, TV and radio production studios	X	X	X	X	X	X	C	X
Printing, publishing and related industries	X	X	X	X	X	X	X	X
Salvage yards	X	X	X	X	X	X	X	X
Storage units	X	X	X	X	X	X	X	P (26)
Vehicle impound yards	X	X	X	X	X	X	X	X
Warehousing, distribution and freight movement	X	X	X	X	X	X	X	C

See notes in UPMC [19.25.120](#).

19.25.120 Use table notes.

- (1) *Repealed by Ord. 455.*
- (2) Breakfast is the only meal served.
- (3) In approved mobile/manufactured home parks only.
- (4) Permitted subject to standards in UPMC [19.70.120](#).
- (5) Subject to compliance with the design standards.
- (6) Kindergarten and primary school only.
- (7) Allowed in R1 and R2 zones only in conjunction with selected nonresidential uses in accordance with UPMC Title [23](#).
- (8) Subject to essential public facility review.
- (9) Housing types under the "middle housing" use type include duplexes, triplexes, fourplexes, townhomes, courtyard housing, and stacked flats. See the definition section in UPMC 19.10.030 for definitions of the housing types~~Reserved.~~
- (10) Permitted only at 1,000 square feet gross floor area or less.
- (11) Establishments over 80,000 square feet are considered commercial centers.
- (12) Subject to compliance with design standards in Chapter 19.47 UPMC~~Reserved.~~
- (13) Retail uses that are related to a use in an office building are limited to 750 square feet each. Total retail uses in a building shall not exceed 20 percent of the building's leasable square footage.
- (14) Only where such use is a shooting facility that lawfully existed prior to January 1, 2008, and is located on at least 20 acres. Shooting facilities include rifle, shotgun and pistol shooting ranges and supporting facilities.
- (15) Certain categories of development, including new construction on vacant land, major redevelopment and major improvement, are subject to design standard review approval to ensure compliance with the design standards and guidelines in Chapter [19.50](#) UPMC.
- (16) Certain categories of development, including new construction on vacant land, major redevelopment and major improvement, are subject to design standard review approval to ensure compliance with the design standards for mixed use zones in Chapter [19.50](#) UPMC.
- (17) Allowed in MF-L, MF-H and MU-M zones subject to compliance with multifamily design standards and guidelines per Chapter [19.53](#) UPMC. Vertical mixed use buildings that include multifamily units in the MU-M zone are exempt from these provisions and subject to compliance with the mixed use design standards in Chapter [19.50](#) UPMC.
- (18) Allowed in R1 and R2 zones subject to compliance with small lot design standards and guidelines per Chapter [19.53](#) UPMC.
- (19) Recycling collection receptacles in the Parks and Open Space zone shall not exceed a maximum capacity of 20 cubic yards.

(20) Uses allowed subject to compliance with mixed use design standards per Chapter [19.50](#) UPMC. The Director may exempt development proposals from compliance with specific mixed use design standards that conflict with UPMC Title [18](#), Shoreline Master Program, requirements.

(21) Uses located within the Day Island Medium Intensity (DIMI) Shoreline Environment are also subject to compliance with the requirements of UPMC Title [18](#). Non-water-oriented commercial, industrial and recreation uses, certain transportation and utility uses, and over-water portions of marinas and other boating facilities are subject to shoreline conditional use permit approval in accordance with Table 18.30.A.

(22) May be authorized only in conjunction with an approved marina or other boating facility.

(23) Modifications to existing marinas and other boating facilities may be authorized in accordance with Level 1 zoning requirements and UPMC Title [18](#), Shoreline Master Program, requirements when located within the R1 Day Island overlay zone. Level 2 marinas are not permitted in the R1 Day Island overlay zone.

(24) Level 2 marinas and other boating facilities may be authorized in accordance with the Chambers Creek Properties master site plan and UPMC Title [18](#), Shoreline Master Program, requirements when located within the R1 Chambers Creek Properties overlay.

(25) Covered moorage lawfully established prior to adoption of the Shoreline Master Program is a permitted use; no new covered moorage may be authorized. Existing covered moorage may be maintained, modified or replaced, but not extended in terms of cumulative footprint and shading of water. See UPMC [18.30.070](#)(G).

(26) Predominantly marine-related activities, facilities, services, merchandise, and uses. "Predominant" means the most common, main or prevalent activities measured by the proportion of a site or building floor area devoted to such activities. The City may consider additional factors in determining whether marine-related activities are the predominant use of a site or building.

(27) Conditional use permit required for buildings or structures exceeding 45 feet in height.

(28) Lawfully established units existing prior to the effective date of the ordinance codified in this section; and conversion of nonresidential buildings, which were originally permitted and constructed as single-family/duplex housing and subsequently converted to nonresidential use, to their original single-family or duplex housing use.

(29) Subject to the development standards in UPMC [19.70.140](#).

(30) Level 2 middle housing is subject to compliance with transit proximity or affordability standards in UPMC 19.45.035(D)Reserved.

(31) Reserved.

(32) Permitted only in the Chambers Creek Properties overlay in conjunction with a resort and hotel lodging.

EXHIBIT D

Sections 19.45.030, 19.45.035, 19.45.100, and 19.45.110

19.45.030 Density Standards.

A. All density provisions shall be calculated in dwelling units per acre (du/ac). The density calculation shall be based upon the net acreage, subtracting out land that, by City, State or Federal regulation, is unbuildable, including:

1. Critical areas including, but not limited to, wetlands, floodways, landslide hazard areas, and fish and wildlife habitat areas. On-site density transfer provided for in UPMC [17.35.050](#) shall be factored into the calculation;

2. Land below the ordinary high water mark; and

3. Land set aside by dedication or easement for public or private streets. Property within City-acquired easements per subsection (B) of this section, easements for shared driveways serving no more than two units or lots, or easements for alleys is not excluded from density calculations and is counted as buildable acreage.

Land that may be difficult or expensive to build upon, but where development is not prohibited, is included as buildable acreage. (See also UPMC [19.10.030](#), Definitions, "Density.") When calculating density, no rounding is used.

B. Where the City has acquired an easement for street improvements adjoining an existing public street right-of-way, the area of the easement shall be used in density and minimum lot size calculations to determine the number of dwelling units allowed.

C. Base densities are established in UPMC [19.45.100](#). Compliance with base density and maximum density standards is required for dwelling units in the MF-L, MF-H, MU-O, MU, MU-M and NC districts. New lots ([excluding unit lots](#)) created through a short plat or conventional subdivision in the R1 and R2 districts shall comply with minimum lot size requirements to achieve a density that is equivalent to the base density.

D. Densities may be increased above the specified base density to the maximum density specified in UPMC [19.45.100](#) for small lot developments that achieve reduced lot sizes in exchange for the provision of open space and greater amenities. For small lot developments that are not subject to minimum lot size standards, compliance with maximum density standards is required.

19.45.035 Units allowed per lot.

A. The standards in this section apply to all residential uses in the R1 and R2 districts.

B. For the purposes of this section, "units" refer to dwelling units, including accessory dwelling units (ADUs).

C. All lots in R1 and R2 districts may be developed with two units (shown in UPMC 19.45.100) when in compliance with all other relevant standards of this chapter, UPMC 19.47 and UPMC 19.70.010.

1. For substandard lots that do not meet the minimum lot size of the underlying R1 and R2 districts listed in UPMC 19.25.110, two units may be developed by:

- a. One two-unit middle housing type; or
- b. One single-family home and one ADU.

[illegible]

Density and Dimensions Table

DEVELOPMENT STANDARDS	ZONE CLASSIFICATIONS												
	R1	R2	MF-L	MF-H	MU-O	NC	MU-N45	MU-U75	MU	MU-C110	MU-U/I75	POS ¹	MU-M
Maximum Units Allowed per Lot (Transit or Affordability Bonus)	<u>4</u>	<u>4</u>											
Minimum Lot Size (16)	<u>9,000</u>	<u>6,000</u>	4,000	2,500	4,000	4,000	4,000	4,000	4,000	4,000	4,000		
Single-Family Detached	<u>9,000</u>	<u>6,000</u>											
Single-Family Attached (7)	<u>6,750</u>	-											
Duplex	<u>13,500</u>	<u>12,000</u>											
Small-Lot Development	<u>None</u>	<u>None</u>											
Minimum Lot Width (15)	60'	55'											
Maximum Lot Coverage	50% (17)	50% (17)	50%		45%	45%							50 – 65% (22) 75 – 90% (23)
Setback, <u>Front Arterial Streets</u>	<u>205'</u> (19)	<u>205'</u> (19)	<u>205'</u>		(5)	<u>205'</u>	(2)	(2)	(5)	(2)	(2)	25'	0'
Setback, <u>Front with Garage/Carport Other Roads</u>	25' (19)	25' (19)	25'		(5)	<u>250'</u>	(2)	(2)	(5)	(2)	(2)	25'	0'
Setback, Rear (4)	30' (19)	30' (19)	0'/30'		0'/30'	0'/30'	0'/30'	0'/30'	0'/30'	0'/30'	0'/30'	30'	0'/30'
Setback, Side (4)	8' (8) (19)	8' (8) (19)	0'/30' (8)		0'/30' (8)	0'/30' (8)	0'/30' (8)	0'/30' (8)	0'/30' (8)	0'/30' (8)	0'/30' (8)	8'	0'/30'
Maximum Height	35' <u>SFD or duplex, except</u> 30' small lot (20)	35' <u>SFD or duplex, except</u> 30' small lot (20)	45'		45'	40'	45'	45'/75' (14)	45'	110'	75' (14)	45'	35'/45'/65' (24)
Floor Area Ratio (FAR)	.42 average and .47 maximum for small lot housing; .42 maximum for existing substandard lot (21)	.42 average and .47 maximum for small lot housing; and .42 for existing substandard lot (21)											

B. The following table specifies development standards for each overlay zone classification. Overlay zones are shown across the row heading and development standard categories are shown in the left column.

Overlay Zones Density and Dimensions (Setbacks)

DEVELOPMENT STANDARDS	OVERLAY ZONE CLASSIFICATIONS					
	Chambers Creek Properties	Public Facility (6)	Transition Properties	Day Island	Day Island South Spit	Sunset Beach
	(CCPO)	(PFO)	(TPO)	(DIO)	(DISSO)	(SBO)
Base Density (du/ac) (1), (2)	(27)		(6)	4	4	4
Maximum Density (du/ac)	(27)		(6)	6 (3)	6 (3)	6 (3)
Setback, Arterial Streets	25'		(6)	NA	NA	NA
Setback, Other Roads	25'		25'	20' (11)	0'	0'/20' (12)
Setback, Rear (4)	0'		(6)	20'/35' (25)	5' (26)	5' (26)
Setback, Side (4)	0'		(4)	5'	0'	5' Total
Height	45'		(6)	35'	30'	35'

19.45.110 Density and dimension table notes.

(1) Base Density. These densities may be achieved outright by following the applicable development and design standards.

(2) Review Chapters [19.50](#) and [19.54](#) UPMC for additional information regarding setbacks, height, and design standards for the Mixed Use – Neighborhood, Mixed Use – Urban, Mixed Use – Urban/Industrial and Mixed Use – Center zones. Existing single-family homes and duplexes in mixed use zones are exempt from Chapters [19.50](#) and [19.54](#) UPMC. Density and dimension standards applicable in the R1 zone shall apply to existing single-family homes and duplexes in mixed use zones.

(3) Maximum density in R1, R2 or specified overlay districts may only be achieved through approval of a small lot development designed in accordance with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC. Maximum density in MF-L, MF-H, MU-M, NC or MU districts may only be achieved for a multifamily project that receives Washington State Housing Finance Commission approval for a low income housing tax credit (LIHTC) and is designed in accordance with the “Design Standards and Guidelines for Small Lot and Multifamily Development” adopted pursuant to Chapter [19.53](#) UPMC.

(4) Side and Rear Yard Setbacks. A side or rear yard setback is not required in MU, NC, MF-L, MF-H, MU-M, MU-O, MU-N45, MU-U75, MU-U/I75 or MU-C110 zones if the parcel does not abut an R1 or R2 zone. If abutting an R1 or R2 zone, a 30-foot setback is required along the abutting lot line(s), unless either (i) the subject parcel is in a transition overlay, in which case a 20-foot setback is required along the abutting lot line(s), or (ii) the abutting R1 or R2 parcels are part of the project site in which case a 10-foot setback is required along the abutting lot lines. No setback is required in the MU-M zone where the parcel abuts a railroad right-of-way.

(5) See design standards (Chapter [19.50](#) UPMC).

(6) Refer to underlying zone.

(7) ~~See additional ADU allowances on conforming lots specified in UPMC 19.45.035(C). Single-Family Attached. For two attached units the minimum lot size is the same as that of a duplex in R1 and R2 zones. In multifamily zones the minimum lot size is the same as the underlying zone.~~

(8) Single-family attached units shall meet all R1 setback requirements except for the common lot line where the side yard setback may be zero feet. The remaining side yard, if not attached, shall be set back eight feet.

(9) Reserved.

(10) *Repealed by Ord. 636.*

(11) Detached one-story garages may be set back a minimum of five feet providing sight distance is maintained.

(12) The front yard setback shall be the distance between the existing house and the railroad right-of-way or 20 feet, whichever is less.

(13) Reserved.

(14) Maximum height shall be limited to 45 feet on those portions of a property abutting an R1 or R2 zone, if the R1 or R2 zone is not part of the project site. If the abutting R1 or R2 zoned parcels are part of the project site, the maximum height is 75 feet.

(15) Newly created lots shall be of such shape that a circle with a diameter equal to the minimum specified lot width can fit within the boundary of the lot. Minimum lot widths for small lot developments shall be determined through the design standard review process.

(16) Minimum lot sizes for detached single-family dwelling/~~duplex dwelling~~middle housing or new lots created through a short plat or conventional preliminary plat/final plat process. Minimum lot size for small lot or multifamily developments shall be determined through the design standard review process. A legally nonconforming duplex lot existing prior to the effective date of the ordinance codified in this section may be subdivided into two attached single-family lots, one or both of which may contain less than the required lot area.

(17) Lot coverage refers to the percentage of a lot covered by buildings. For small lot developments, the lot coverage standard applies to buildings, private streets, parking lots, driveways and other impervious surfaces combined.

(18) Reserved.

(19) Setbacks for small lot developments shall be in accordance with the "Design Standards and Guidelines for Small Lot and Multifamily Development" adopted pursuant to Chapter [19.53](#) UPMC.

(20) See the "Design Standards and Guidelines for Small Lot and Multifamily Development" adopted pursuant to Chapter [19.53](#) UPMC for additional information regarding height limits for small lot developments.

(21) Floor area ratios for small lot development are based on the average for the entire project; FARs for individual lots may vary. See UPMC [19.45.080](#) for additional information concerning FAR standards.

(22) Impervious area located within 100 feet of the ordinary high water mark; may be increased from 50 to 65 percent by restoring or enhancing the vegetation conservation area in accordance with the provisions of UPMC [18.25.100](#).

(23) Impervious area located more than 100 feet from the ordinary high water mark; may be increased from 75 to 90 percent by restoring or enhancing the vegetation conservation area in accordance with the provisions of UPMC [18.25.100](#).

(24) Maximum height of a building or structure is 35 feet when located within 100 feet of the ordinary high water mark (OHWM). Height may be increased for buildings or structures located more than 100 feet from the OHWM or when located on the upland (easterly) side of 91st Avenue West, up to a range of 45 to 65 feet, when a visual impact assessment is submitted in accordance with UPMC [18.25.110](#)(E) and the decision-maker determines that a proposal will comply with the purpose and intent of

UPMC [18.25.110](#) regarding view protection. The 35-foot, 45-foot and 65-foot limit areas located east of 91st Avenue West are shown in Figure 11.

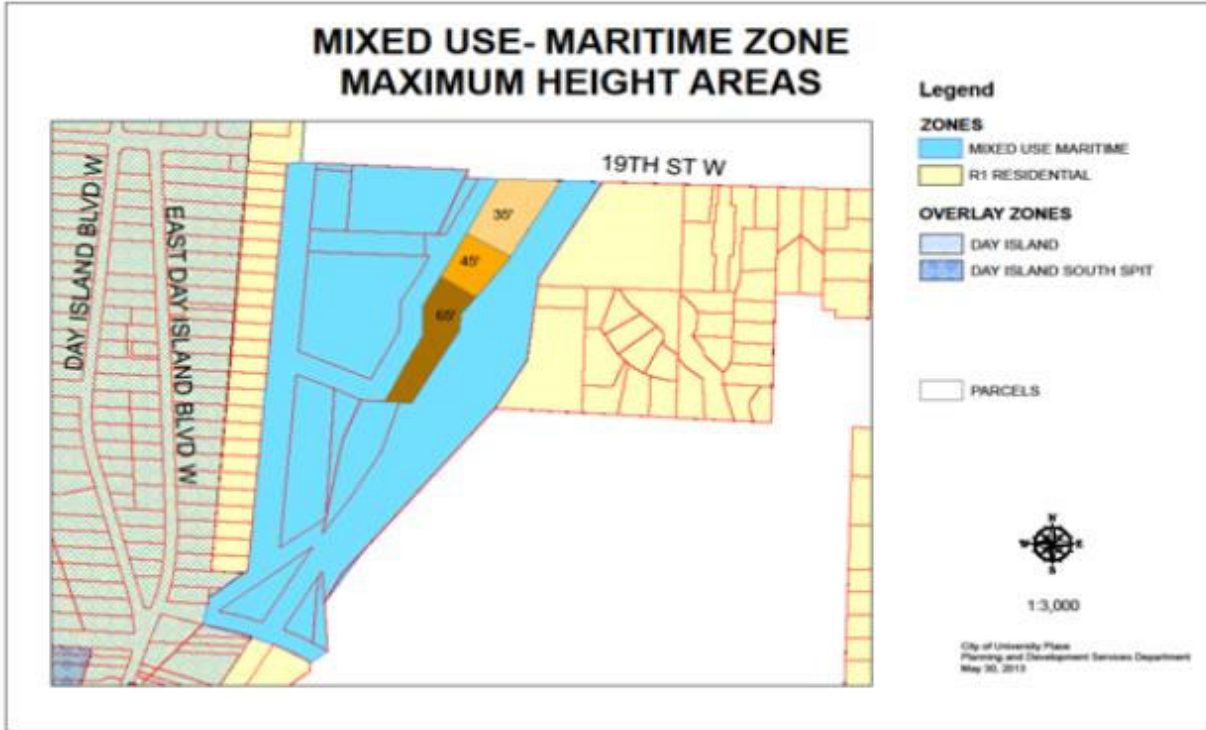


Figure 11

(25) A 35-foot rear setback measured from the ordinary high water mark is required for properties located within shoreline jurisdiction.

(26) Rear setback is measured from the ordinary high water mark.

(27) Only uses included in the Chambers Creek Properties master site plan are allowed in the Chambers Creek overlay. A maximum of 130 extended stay lodging residential units are allowed in conjunction with the resort and hotel.

EXHIBIT E

Chapter 19.47

Middle Housing Design Standards

Sections:

<u>19.47.010</u>	<u>Applicability</u>
<u>19.47.020</u>	<u>Purpose</u>
<u>19.47.030</u>	<u>Review process</u>
<u>19.47.040</u>	<u>Entries</u>
<u>19.47.050</u>	<u>Windows and doors</u>
<u>19.47.060</u>	<u>Vehicle access, carports, garages, and driveways</u>
<u>19.47.070</u>	<u>Pedestrian access</u>
<u>19.47.080</u>	<u>Unit articulation</u>
<u>19.47.090</u>	<u>Courtyard housing</u>
<u>19.47.100</u>	<u>Departures</u>

19.47.010 **Applicability**

- A. These standards apply to all permitted middle housing types developed with up to four units per lot. Specific courtyard housing standards apply to only that middle housing type.
- B. For the purposes of this section, a “street” refers to any public or private street and does not include alleys.
- C. These design standards do not apply to the conversion of a structure to a middle housing type with up to four attached units, if the floor area of the structure does not increase more than 25 percent within any twenty-four-month period.

19.47.020 **Purpose**

The purpose of these standards is to:

- A. Promote compatibility of middle housing with other residential uses, including single-family houses.
- B. De-emphasize garages and driveways as major visual elements along the street.
- C. Provide clear and accessible pedestrian routes between buildings and streets.

19.47.030 **Review process**

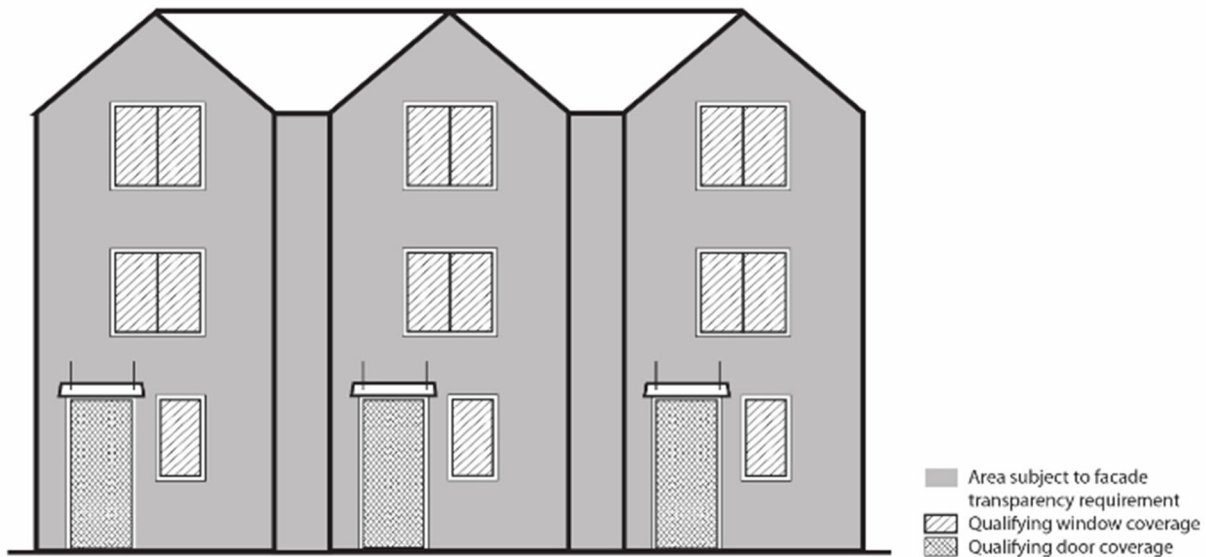
The process used for reviewing compliance with middle housing design standards shall be Type I (Administrative) per Chapter 22.05, UPMC.

19.47.040 **Entries**

- A. Each middle housing building fronting the street shall have an entry that faces the street and incorporates a primary covered entry feature that projects at least six feet from the front facade of the residence (measured from the front door). The covered entry feature must be no less than eight feet wide and shall be unenclosed on all sides except for the side abutting the front exterior wall of the residence.
- B. For middle housing buildings that don't front a street, each middle housing building shall incorporate a covered entry feature that projects at least over the width of the front door.

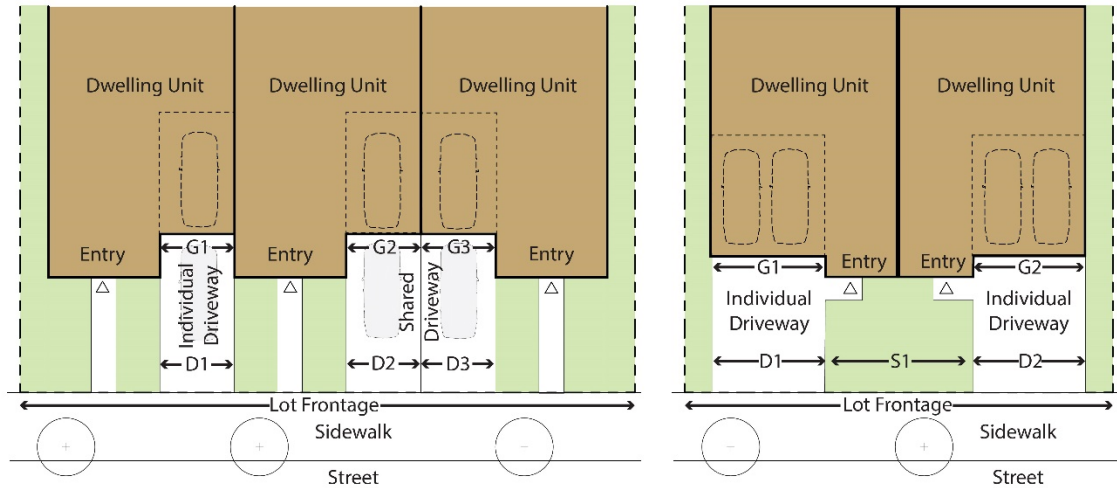
19.47.050 Windows and doors

A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Garage doors are excluded from window and doors calculations and facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.



19.47.060 Vehicle access, carports, garages, and driveways

- A. For lots abutting a functional alley that meets the city's standard for width and useability, vehicular access shall be taken from the alley. Lots without access to a functional alley and taking vehicular access from a street shall meet the other standards of subsection (B) through (F) below.
- B. The total width of driveway approaches, street facing garage doors, and unenclosed parking areas visible from the street shall not exceed a total of 32 feet and 50 percent of the lot frontage, as detailed below. Exception: Flag lots and lots at the end of a cul-de-sac that are less than 40 feet wide at the front property line are exempt from the 50 percent rule.
 1. The 50 percent rule for driveway approaches is measured by width at the front property line.
 2. The 50 percent rule for garage doors is measured perpendicularly between side property lines at the front façade of the dwelling.
 3. The 50 percent rule for unenclosed parking areas is measured at their widest point between the side property lines between the front property line and the building.
- C. Individual driveway approaches shall not exceed 20 feet in width. Multiple driveways may be used provided they comply with the standards herein.
- D. Individual driveway approaches that are at least 16 feet wide must have at least 15 feet of separation between another driveway approach.
- E. Individual front facing garage doors shall not exceed 16 feet. Multiple front facing garage doors may be used provided they comply with the standards herein.



$\frac{(G1+G2+G3)}{\text{Lot Frontage}}$ must be no more than 50% *

$(D1+D2+D3)$ must not exceed 32 feet per frontage

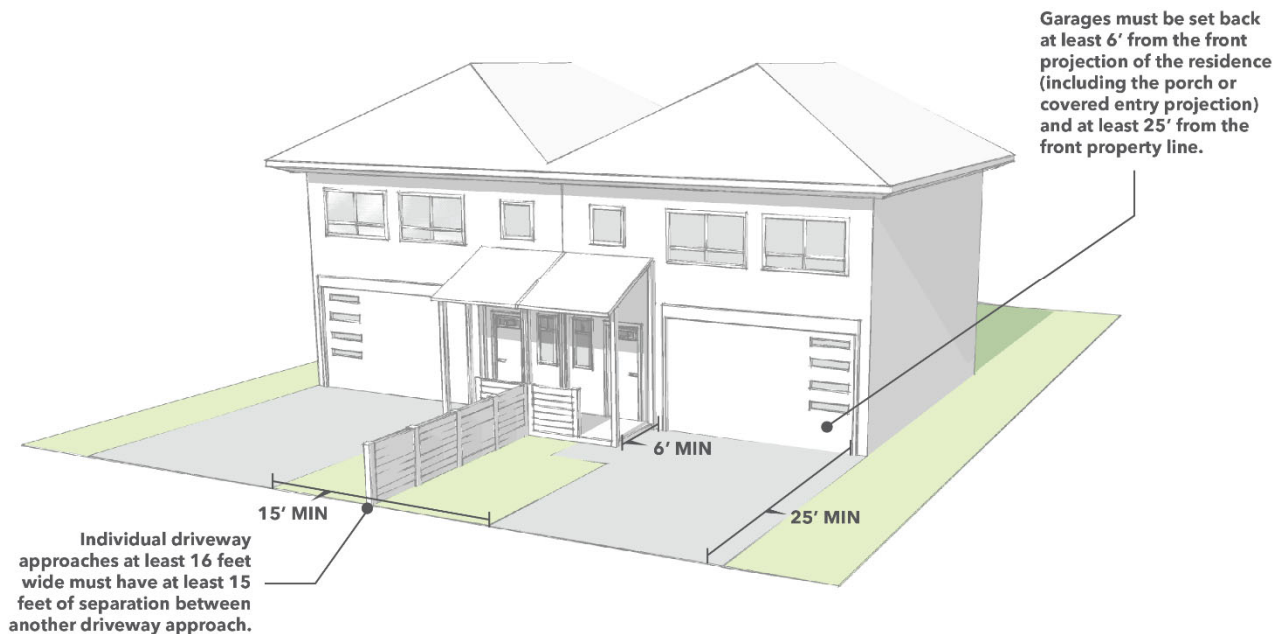
Individual driveway width (any "D#") shall not exceed 20 feet

Individual garage door width (any "G#") shall not exceed 16 feet

At least 15 feet of separation (S1) between individual driveways if one is at least 16 feet wide

**Since example lots are perfectly rectangular, the particular "lot frontage" measurements where the 50% rule is applied to driveways, parking areas, and garage doors is exactly the same.*

- F. Garages must be setback at least six feet from the front projection of the residence (including the porch or covered entry feature), and no less than twenty-five feet from the front property line.

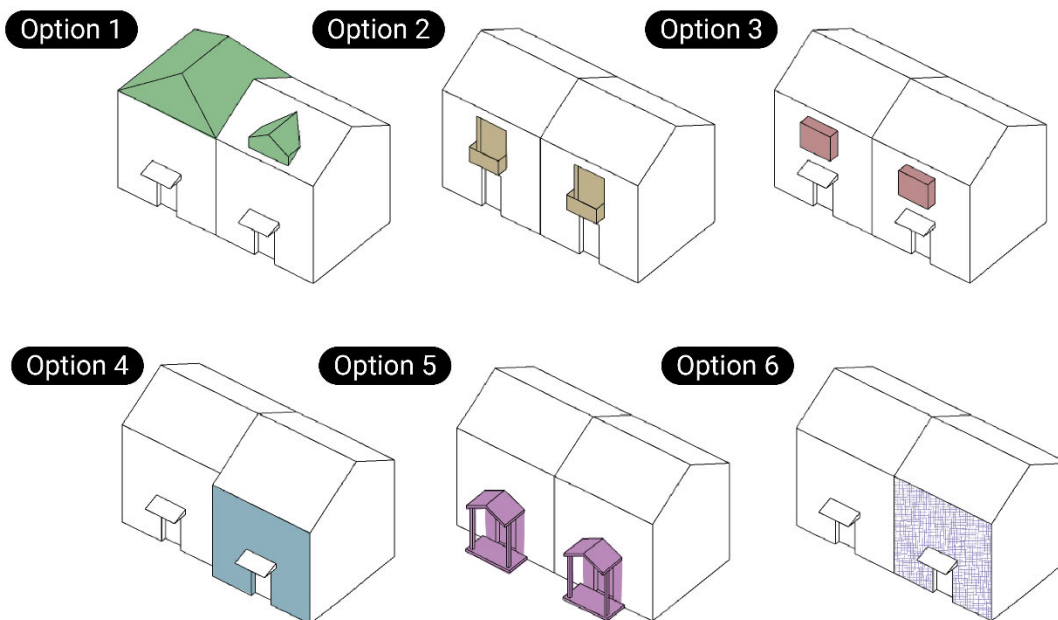


19.47.070 Pedestrian access

A paved pedestrian connection at least three and a half feet wide is required between each middle housing building and the right-of-way. Driveways may be used to meet this requirement.

19.47.080 Façade articulation

- A. In a middle housing building facing the street, each unit with a separate ground level entrance shall include at least three of the articulation options listed in subsection (B) below. Middle housing buildings with one shared ground level entrance, or façades separated from the street by a building or located more than 100 feet from a street are exempt from this standard.
- B. Articulation options:
1. Roofline change or a roof dormer with a minimum exterior width of four feet and is accessible from an interior space.
 2. A balcony with a minimum of five feet in depth and eight feet in width and accessible from an interior room.
 3. A bay window that extends from the façade a minimum of three feet.
 4. An offset of the façade of a minimum of three feet in depth from the neighboring unit.
 5. A roofed porch at least 60 square feet in size.
 6. Use of different cladding materials.



19.47.090 Courtyard housing

- A. At least one outdoor common open space is required.
- B. Common open space shall be bordered by dwelling units on two or three sides.

- C. Common open space shall be at least 250 square feet per unit and shall be a minimum dimension of 15 feet on any side.
- D. Parking areas and vehicular areas do not qualify as a common open space.
- E. Ground-related courtyard housing units shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or common open space.
- F. Courtyard housing units abutting the common open space shall be oriented around and have the primary entrance face the common open space.

19.47.100 Departures

This title provides for a number of specific departure opportunities to development standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the “purpose” of the particular standard and any additional departure criteria established for the particular departure opportunity.

- A. Departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis, provided they meet the purpose of the standard and applicable departure criteria as noted below.
- B. Applicability. Departure opportunities are available for the specific standards for entries (19.47.040), windows and doors (19.47.050), and façade articulation (19.47.080). Requested departures other than the applicable standards listed shall require a Type II (Administrative) application per Chapter 22.05, UPMC.
- C. Departure provisions:
 - 1. The purpose of the entry standards is to provide distinct primary entry ways near the street frontage, to make clear where the entry to a specific unit is and add visual interest. Alternative designs shall meet this purpose and ensure the primary entry features minimum weather protection of three feet by three feet, facing the street.
 - 2. The purpose of the window and door standards is to avoid blank or barren walls facing the street and provide sufficient space for occupants to view the street while in their homes. Alternative designs shall meet this purpose and ensure a minimum of 10 percent of the area of the street-facing façade elevation includes windows or doors.
 - 3. The purpose of the façade articulation standards is to reduce the perceived scale of multi-unit buildings and add architectural variety and visual interest. Alternative designs shall meet this purpose and ensure each unit with a separate ground level entrance shall include at least one of the articulation options listed in 19.47.080(B).
- D. Procedures. Permit applications that include departure requests go through the standard review procedures in this division depending on the application type.
- E. Approval criteria. Project applicants shall successfully demonstrate to the decision-maker how the proposed departure meets the purpose(s) of the standard and other applicable departure criteria that applies to the specific standard.
- F. Documentation. The decision-maker shall document the reasons for approving all departures (to be maintained with project application records) for the purpose of providing consistency in decision-making by the city.

EXHIBIT F

Section 19.60.050

Off-Street Parking Spaces Required for Particular Uses

19.60.050 Off-street parking spaces required for particular uses.

Unless otherwise specified the number of parking spaces required is calculated on a per-square-foot basis. For example, if 200 appears in the table next to the use type, then one parking space is required for every 200 square feet of floor area. In commercial centers, the required parking is calculated for each use separately to determine the total amount of parking required. The minimum number of off-street parking spaces required shall be as set forth in the following table:

Parking Requirements

RESIDENTIAL USES

Adult Family Home (6 or Fewer)	1 per employee ¹ + 2
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Assisted Living Facility	0.5 per bed
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Affordable Senior Multifamily Housing ²	0.6 per unit
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Bed and Breakfast	0.5 per room
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Group Home	0.5 per bed
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Mobile/Manufactured Home	1 per unit
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Multifamily Housing

Studio and 1 Bedroom Unit	1 per unit
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2 Bedroom Units	1.25 per unit
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3+ Bedroom Units	1.5 per unit
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Nursing Home	0.25 per bed
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Single-Family Housing (Attached)	2 per unit
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Single-Family Housing (Attached) in Small Lot Development	1.5 per unit + 1 guest stall
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Single-Family Housing (Detached) in Small Lot Development	2 per unit + 1 guest stall
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Parking Requirements

Single-Family (Detached) and Duplex Housing	2 per unit
<u>Middle Housing</u>	<u>1 per unit for lots 6,000 sq ft or less</u>
	<u>2 per unit for lots greater than 6,000 sq ft</u>

CIVIC AND RECREATION USES

Cemetery/Mortuary	1 per 5 seats
Community Centers and Clubs	200
Cultural Service (Museum, Library)	250
Day Care Center (Exceeds 12)	1 per employee ¹ + 1 per 10 clients
Government Service	400
High School	1 per employee ¹ + 1 per 10 students
Elementary and Intermediate	1 per employee ¹ + 10
Hospital and 24-Hour Medical Clinic	1 per employee ¹ + 1 per bed
Recreation – Public	2/acre of open space
Recreation – Nonprofit	2/acre of open space
Religious Assembly	1 per 5 seats
Utility and Public Maintenance Facility	400
Vocational and Specialty School	1 per student

UTILITIES AND RESOURCE USES

Utilities Use

Comm. and Personal Wireless Telecommunication Facility	400*
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Essential Public Facilities Use

Parking Requirements

Organic Waste Processing Facility	1 per employee ¹ + 10
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Sewage Treatment Facility	1 per employee ¹ + 10
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Resource Use

Agricultural Sale	250
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*Note: For telecom towers = 1 per tower.

COMMERCIAL USES

Office/Business Uses

Administrative and Professional Office	400
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Veterinary Clinic/Animal Hospital	400
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Retail/Services/Entertainment

Adult Entertainment	200
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Amusement and Recreation (Private)	200
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Business Service	400
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Eating and Drinking Establishment	200
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Garden Supply (Nursery)	250
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Health Club (a.k.a. Fitness Center)	200
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Kennel	1 per employee ¹ + 1 per 10 cages
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Limited Accessory Retail (MU-O Only)	250
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Lodging – Hotel and Motel (No RV)	1 per room
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Marina and Other Boating Facility	1 per slip
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Parking Requirements

Medical and Dental Office	250
Mini Casino	200
Movie Theater (Indoor Only)	1 per 4 seats
Mobile, Manufactured and Modular Home Sales	400
Motor Vehicle and Related Equipment Sales	400
Pawn Shop	250
Personal Service	250
Rental and Repair Service	400
Retail Sales	250
Wholesale Trade	250

INDUSTRIAL USES

Boat Building	400 office, 1,000 other
Bulk Fuel Dealer	400 office, 1,000 other
Buy-Back Recycling	400 office, 1,000 other
Contractor Yard	400 office, 1,000 other
Craft Production Facility	400 office, 1,000 other
Food and Related Products	400 office, 1,000 other
Industrial Service and Repair	400 office, 1,000 other
Limited Manufacturing	400 office, 1,000 other
Microbeverage Production Facility	400 office and tasting room, 1,000 other
Motion Picture, TV and Radio Production Studio	400
Printing, Publishing and Related Industry	400 office, 1,000 other

Parking Requirements

Salvage Yard	400 office
Storage Unit	2,500
Warehousing, Distr. and Freight Movement	400 office, 2,000 other

¹ Employees per largest shift.

² “Affordable” means dwelling units priced, rented or leased only to those households earning 80 percent or less of the median household income for Pierce County, Washington. “Senior” means dwelling units specifically designed for and occupied by elderly persons under a Federal, State or local government program or occupied solely by persons who are 62 or older or houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older.

EXHIBIT G

Section 19.70.010

Accessory Dwelling Units

19.70.010 Accessory Dwelling Units.

A. Purpose. Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, increase home and personal security, provide supplemental earnings for people with limited incomes, and increase residential densities. This should occur by utilizing the existing infrastructure and community resources throughout the City while protecting the existing character of single-family neighborhoods.

B. General Requirements. The creation of an ADU shall be subject to the following general requirements:

1. Number. Up to two ADUs shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure, provided, only one detached ADU shall be allowed on a lot that does not meet the minimum lot size for the zone in which the property is located. One ADU shall be allowed on a lot of record as an accessory use in conjunction with a two-unit middle housing building type, provided, the lot conforms to the minimum lot size for the zone in which the property is located.

2. Type of Unit. An ADU may be attached to the principal unit, a separate detached accessory structure (e.g., cottage), or part of a detached accessory structure (e.g., carriage unit above garage).

3. Size. An ADU shall not exceed 1,000 square feet; provided, if the ADU is to be established within an existing multistory structure and located entirely on a single floor, the Director may allow increased size in order to efficiently use all area of this single floor.

4. Location. An attached ADU shall be physically connected to the principal unit by a shared wall or attached covered structure. Attached ADUs shall meet the same setbacks, height requirements, and other dimensional standards as the principal unit.

A detached ADU not to exceed 1,000 square feet may be placed in a side and/or rear yard in accordance with UPMC [19.45.040](#)(H) and shall comply with the following building standards:

a. The total area of a detached ADU and other detached accessory structures placed in a side or rear yard shall not exceed the size limitations set forth in UPMC [19.45.040](#)(H)(1)(a);

(1) The total ground floor footprint of a structure with an ADU located above (e.g., carriage unit) shall not exceed 600 square feet in gross floor area;

(2) For ground floor ADUs that exceed 600 square feet in gross floor area, no additional accessory structure floor area (e.g., garages, carports, and sheds) shall be permitted in the side or rear yard setback;

b. Maintain five-foot minimum side and rear yard setbacks;

c. Have no portion of the structure, such as eaves, closer than three feet from any property line;

d. Be no greater than 24 feet in height at top of ridge and 10 feet at the top wall plate where the roof structure connects to the wall, if located within a required side or rear yard;

e. Be no closer than five feet to the primary structure;

f. No more than one detached ADU may be placed within the reduced setbacks. Any second detached ADU must comply with the setbacks applicable to the principal unit; and

g. A detached ADU may be located at a property line abutting a public alley, as defined in Chapter [13.20](#) UPMC, provided the City does not routinely plow the public alley for snow. No portion of the structure shall encroach into the public alley.

5. Parking. No off-street parking shall be required for an ADU when the property is within one-half mile walking distance of a major transit stop as defined in RCW [36.70A.696](#). Property not subject to this exemption shall provide off-street parking for accessory dwelling units as follows:

- a. One off-street parking space shall be required per ADU on lots 6,000 square feet or smaller.
- b. Two off-street parking spaces shall be required per ADU on lots greater than 6,000 square feet.
- c. Any additional off-street parking provided in conjunction with an ADU shall, to the extent possible, be located to the side or rear of the principal unit to minimize visual impacts on the streetscape. Such parking must be provided in the rear of the lot when alley access is available. Off-street parking shall be designed to reduce impacts on adjoining properties through the installation of vegetative screening and/or fencing.

6. In order to encourage the development of housing units for people with disabilities, the Director may allow reasonable deviation from the requirements of this section when necessary to install features that facilitate accessibility. These facilities shall conform to Washington State regulations for barrier-free facilities.

C. Procedures. Any owner seeking to establish an ADU shall apply for approval in accordance with the following procedures:

1. Application. The owner shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and parking standards are met.

2. Notice of Title. Prior to issuance of building permits, the owner shall record a notice on the property title acknowledging the existence of the ADU with the Pierce County Auditor. Such notice shall be in a form as specified by the Department.

3. Reports. The Department shall report annually to the City Council on ADU applications, the number of units established and their distribution throughout the City, the average size of the units, and the number and types of complaints and enforcement-related actions.

EXHIBIT H

Section 13.20.245

Driveways

13.20.245 Driveways.

A. General.

1. Driveways and driveway approaches shall be constructed in accordance with the University Place Standard Notes and Details. Driveways and driveway approaches for middle housing developments shall also meet the standards in UPMC 19.47.060.

2. All abandoned driveway approaches on the same frontage shall be removed and the curbing and sidewalk or shoulder and ditch section shall be properly restored.

3. All driveway approaches at locations with curb and gutter shall be constructed of Portland cement concrete and shall be subject to the same testing and inspection requirements as curb, gutter, and sidewalk construction.

4. All driveway approaches at locations without curb, gutter or sidewalk may be constructed with either Portland cement concrete, asphalt concrete, or pervious pavement. Approach grade at these locations shall not exceed two percent within the right-of-way in order to accommodate future sidewalk construction.

5. Shared driveways.

a. Are allowed when shared between detached single family dwelling units on adjacent lots and for middle housing units on a parent lot.

b. Are permitted upon formal written agreement by allboth property owners and approval of the Director. The agreement shall be a recorded easement for allboth parcels of land specifying joint usage.

c. Shared driveways shall be a minimum of 15 feet wide and paved along that portion which serves allboth parcels. Shared driveway width may be reduced within small lot and innovative housing developments to achieve design goals and reduce impervious surface consistent with the City's low impact development goals and objectives.

6. Grade Breaks. The maximum change in driveway grade shall be eight percent within any 10 feet of distance on a crest and 12 percent within any 10 feet of distance in a sag vertical curve. These grades may be exceeded with proper use of smooth vertical curbs in accordance with AASHTO guidelines.

7. No commercial driveway shall be allowed where backing onto a sidewalk or street will occur.

8. Driveway locations shall be unified whenever possible to create the fewest number of accesses onto a street.

9. Driveways that serve only one lot shall be located a minimum of seven and one-half feet from the property line where the driveway enters the right-of-way.

B. Arterial Streets.

1. No driveway may access an arterial street within 75 feet (measured along the arterial) of any other driveway access on either side of the street unless aligned directly opposite another driveway. This distance may be reduced to 35 feet for neighborhood collector arterial streets, provided adequate sight distance is provided.

2. No driveway may access an arterial street within 150 feet of the nearest right-of-way line of an intersecting street. This distance may be reduced to 75 feet along neighborhood collector arterial streets, provided adequate sight distance is provided.

3. Access to arterial streets may be limited to one driveway for each tract of property separately owned. Properties contiguous to each other and owned by the same person are considered to be one tract.

4. Driveways giving direct access onto arterials may be denied if alternate access is available.

5. Wherever a potential access exists to any property from both a public road and a private easement, the City may refuse access to the public road.

6. The Director and Pierce Transit will determine the minimum separation that will be allowed between an existing bus stop and a proposed driveway based on sight obstruction and vehicular and pedestrian traffic.

7. Residential driveways accessing arterial streets shall provide a turn-around for residential vehicles so these vehicles will not have to back out into the arterial. This may be waived along neighborhood collector arterial streets, provided adequate sight distance is provided.

C. Local Streets.

1. Residential driveways shall be constructed a minimum of 35 feet from a side street or intersection. The distance is measured from the street right-of-way line to the nearest edge of the driveway.

2. Wherever a potential access exists to any property from both a public road and a private easement, the City may refuse access to the public road.

D. Width.

1. The maximum driveway width for two-way access onto an arterial or collector shall be 24 feet for residential, 30 feet for commercial uses, and 35 feet for industrial uses. Maximum driveway widths for one-way access onto an arterial or collector shall be 20 feet for residential, 20 feet for commercial, and 25 feet for industrial uses. A road approach or wider driveway width may be approved by the Director where a substantial percentage of over-sized vehicle traffic exists, where divisional islands are desired, or where multiple exit or entrance lanes are needed.

2. The maximum two-way driveway width onto a local access street shall be 24 feet for residential uses and 26 feet for commercial uses.

3. The maximum one-way driveway width shall be 15 feet for residential and 22 feet for commercial driveways.

4. The minimum residential driveway width shall be 10 feet.

5. The Director may require intersection geometry in lieu of a driveway approach and/or ingress and egress tapers in industrial and commercially zoned areas.

6. Commercial drive aisles shall conform to UPMC Title [19](#).

EXHIBIT I

Section 21.05.020

Applicability

21.05.020 Applicability.

Every division of land including but not limited to subdivisions, short subdivisions, unit lot subdivisions, binding site plans, and boundary line adjustments shall comply with the provisions of Chapter 58.17 RCW, this title, UPMC Title 22, and other applicable laws. After final plat or short plat approval, any subsequent division of land shall be in compliance with this title and other applicable UPMC code provisions. To the maximum extent permitted by law the requirements of this title shall be applicable to any plats or lots approved prior to the effective date of this title.

EXHIBIT J

Section 21.10.010

Definitions

21.10.010 Definitions.

As used in this title, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

“Binding site plan” means a division of land for sale or lease of commercially or industrially zoned property as provided in RCW [58.17.040](#)(4), divisions of property for lease as provided in RCW [58.17.040](#)(5), and divisions of properties as provided for in RCW [58.17.040](#)(7).

“Block” means a group of lots, tracts, or parcels within well-defined and fixed boundaries.

“City Engineer” means a licensed professional engineer appointed by the City Manager as the City Engineer or authorized designee.

“Council” means the City Council.

“County Assessor-Treasurer” means the Pierce County Assessor.

“County Auditor” means the Pierce County Auditor.

“Dedication” is the deliberate appropriation of land by an owner for any general and public uses, reserving no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat, [unit lot subdivision](#), or large lot subdivision showing the dedication thereon; and the acceptance by the City shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

“Department” means the City of University Place Department of Community and Economic Development.

“Developer” shall mean the person, party, firm, or corporation who applies for approval of a subdivision, short plat, [unit lot subdivision](#), or large lot subdivision.

“Development regulations” means any of the City’s regulations that specify how land can be developed and/or used, including but not limited to the zoning code, subdivision regulations, shoreline regulations, critical area regulations, building codes, and public works code.

“Director” means the Director of the City of University Place Department of Community and Economic Development or authorized designee or representative.

“Electric utility facilities” means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations.

“Examiner” means the Land Use Hearings Examiner who is herein authorized to approve subdivisions and hear appeals on short subdivisions, large lot divisions, and other administrative decisions.

“Final plat” is the final drawing of the subdivision and dedication drawn to a scale not smaller than one inch equals 100 feet unless approval of another scale is given by the director, on standard 18-inch by 24-

inch sheet size, prepared for filing for record with the county auditor, and containing all elements and requirements set forth in state law and in this title.

“Improvement” shall mean any thing or structure constructed for the benefit of all or some residents of a subdivision, short subdivision, [unit lot subdivision](#), or binding site plan or the general public such as but not limited to streets, alleys, storm drainage systems and ditches, sanitary sewer pipes or main lines, storm drainage containment facilities, and recreational facilities.

“Land division” shall mean a subdivision, short subdivision, [unit lot subdivision](#), binding site plan, or boundary line adjustment.

“Lot” is a fractional part of divided lands having fixed boundaries, and of sufficient area and dimension to meet minimum zoning requirements for width and area, [except for unit lots approved per Chapter 21.75 UPMC](#). The term “lot” includes tracts or parcels. Lots shall also include those lots legally established prior to the effective date of this title. [See definition of “parent lot” and “unit lot” for lots created through the unit lot subdivision process](#).

“Model home” means a dwelling unit(s) used to demonstrate a variety of housing designs together with all associated on-site improvements, e.g., landscaping, improved driveway, patios, etc.

“Original tract” means all contiguous units of land that the applicant(s) own(s), or in which the applicant(s) holds controlling ownership and all contiguous lands under separate ownership when said owners have a direct or indirect common property interest in the subdivision or where a husband and wife own contiguous lots in separate or community ownership.

[“Parent lot” means a lot which is subdivided into unit lots through the unit lot subdivision process.](#)

“Personal wireless services” means any federally licensed personal wireless service facility including unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures.

“Planning agency” means the Department of Community and Economic Development or other such department designated by the City Manager.

“Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

“Preliminary plat” is a neat and approximate drawing of a proposed subdivision [or unit lot subdivision](#), showing the general layout of streets and alleys, lots, blocks, and the restrictive covenants applicable to a subdivision. A preliminary plat furnishes a basis for the approval or disapproval of the general layout of a subdivision.

“Short plat” is the map or representation of a short subdivision.

“Short subdivision” is any voluntary or involuntary division or redivision of land into nine or fewer lots, tracts, parcels, sites, [unit lots](#), or subdivisions for the purpose of sale, lease, or transfer of ownership. Other lots, tracts, or parcels created by the short subdivision shall be used exclusively for roads, utilities, open space, or protection of critical areas including but not limited to wetlands, and determined unbuildable or do not have the potential for future development as a residential building site.

“Subdivision” is any voluntary or involuntary division or redivision of land into 10 or more lots, tracts, parcels, sites or division for the purpose of sale, lease, or transfer of ownership, or which do not otherwise satisfy the requirements for a short subdivision.

[“Unit lot” means a lot created from a parent lot and approved through the unit lot subdivision process.](#)

“Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

Unlisted words and phrases: The definition of any word or phrase not listed in this chapter that is in question when administering this regulation shall be defined from one of the following sources, which are incorporated herein by reference. Said sources shall be utilized by finding the desired definition from source A, but if it is not available there, then source B may be used and so on. The sources are as follows:

- A. City development regulations;
- B. Any City resolution, ordinance, code, or regulation;
- C. Any statute or regulation of the State of Washington (i.e., the most applicable);
- D. Legal definitions from case law or a law dictionary;
- E. Webster’s Third New International Dictionary of the English Language, Unabridged, copyright 1986.

EXHIBIT K

Section 21.35.010

Applicability

21.35.010 Applicability.

Every short plat, ~~and~~ short subdivision, and unit lot subdivision shall comply with the provisions of this chapter.

A. Exemptions. The provisions of this chapter are not applicable to the following:

1. All exemptions listed in UPMC [21.05.060](#).
2. Deed releases, for the purpose of obtaining building financing; provided, that a short plat is required if said parcel is separately sold or if all land specified by the contract is not acquired.
3. Divisions that were surveyed in accordance with the Survey Recording Act and are recorded with the auditor prior to August 13, 1974.
4. Up to four model homes may be established on a single tract of land without short platting; provided, the City has approved a preliminary subdivision that includes the specific lots upon which the model homes are to be located.
5. Divisions made by court order; provided, that this exemption shall not apply to land divided pursuant to dissolution or any partition proceedings.
6. Any division of land for use solely for the installation of electric power, telephone, water supply, sewer service or other utility facilities of a similar or related nature; provided, however, that any remaining lot or lots are consistent with applicable zoning and land use plans.
7. Any division or divisions of land for the sole purpose of enabling the City of University Place or other public agency to acquire land, either by outright purchase or exchange, for port purposes, boat moorage or launching sites, or for park, viewpoint, recreational, educational or other public purposes; provided, however, that any remaining lot or lots are consistent with applicable zoning and land use plans.

B. The entire original tract (except adjacent platted or short platted land) shall be included within one short plat application.

C. Further Divisions. Land within a short subdivision shall not be further divided in any manner for a period of five years from the date said approved short plat is recorded with the auditor without the filing of a final plat on the land that is proposed to be further divided, except that when the short plat contains fewer than nine residential building lots, the owner who filed the short plat may file an alteration within the five-year period to create a total of up to nine lots within the original short plat boundary. This requirement shall be stated on the face of the short plat.

EXHIBIT L

Section 21.50.010

Purpose

21.50.010 Purpose.

The purpose of this chapter is to provide the procedures to amend preliminary plats, unit lot subdivisions, and short subdivisions, alter subdivisions, amend binding site plans, and vacate plats and binding site plans.

EXHIBIT M

Section 21.55.030

Critical Areas

21.55.030 Critical Areas.

A. Flood or Geological Hazard. If any portion of the land where structures will be permitted within the boundaries of a land division, whether a plat, short plat, unit lot subdivision, or binding site plan is subject to flood or geological hazard, the Examiner or Director may disapprove the land division or that portion of the land division so affected. In making such decision, the Examiner or Director shall use the most recent National Flood Insurance Program, Flood Hazard Boundary Map (FHBM) for Pierce County, Washington, or other authoritative data. Alternatively, the Examiner or Director may require protective improvements to be constructed as a condition of approval.

B. If any portion of a land division is subject to flood or geological hazard, such area shall be clearly shown on the plat, short plat, unit lot subdivision, or binding site plan by a prominent note on each sheet of such map whereon any portion is shown.

C. No land division shall be approved by the Examiner or Director that is situated wholly or partially within a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology.

EXHIBIT N

Section 21.60.020

Scope

21.60.020 Scope.

The boundary lines separating two or more platted or unplatted lots of record may only be adjusted under the provisions of this chapter. Extinguishing such lot lines is not a boundary line adjustment subject to the requirements of this chapter. Actions that change or impair conditions or requirements imposed by previous land division decisions must be accomplished pursuant to this chapter.

A boundary line adjustment is intended to apply to minor boundary changes, to correct a controversy regarding the location of a boundary line, or to remedy adverse topographical features. A boundary line adjustment does not apply to boundary changes that would result in increased development or density otherwise regulated by applicable City land use codes and regulations, or to actions requiring replat, amendment, alteration, or vacation of a plat, ~~or~~ short subdivision, or unit lot subdivision. Boundary line adjustments shall not:

- A. Create any additional lot, tract, parcel, site, or division;
- B. Result in a lot, tract, parcel, site, or division that contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the land use and health codes and regulations. This provision shall not be construed to require correction or remedy of pre-existing nonconformities or substandard conditions;
- C. Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site, or division;
- D. Create or diminish any easement or deprive any parcel of access or utilities;
- E. Increase the nonconforming aspects of an existing nonconforming lot or create a nonconforming lot from a conforming one;
- F. Replat, alter (except as provided in RCW 58.17.140), or vacate a plat, ~~or~~ short subdivision, or unit lot subdivision; or
- G. Amend the conditions of approval for previously platted property.

EXHIBIT O

Section 21.65.050 and Title 21, Appendix B

21.65.050 Administrative Review.

Lot combination may be approved provided it does not result in one or more of the following:

- A. Create any additional lot, tract, parcel, site or division;
- B. Result in a lot, tract, parcel, site or division which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension;
- C. Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division;
- D. Diminish any easement or deprive any parcel of access or utilities, unless alternate easements, access or utilities can be satisfactorily provided;
- E. Replat or vacate a plat, ~~or~~ short subdivision, or unit lot subdivision;
- F. Amend the conditions of approval for previously platted property; or
- G. Includes property currently not annexed to the City.

Title 21, Appendix B – Plat Requirements Matrix

Plat Requirements Matrix

Plat Requirements	Pre. Plat	Final	Short/ <u>ULS</u>	BSP	BLA/COMB.
All plats shall comply with RCW Title <u>58</u> , the Survey Recording Act, and the following:	X	X	X	X	X
The plat shall be drawn to the scale of one inch equals 100 feet or larger	X	X	X	X	X
The boundary and dimensions of the “original tract” including its assessor’s parcel number, section, township and range, and all adjoining public or private streets and identifying names	X	X	X	X	X
The lot and tract layout with lot and tract line dimensions, the area in square feet contained in each lot and tract; a number identifying each lot and a letter identifying each tract	X	X	X	X	X
The location, names, and right-of-way widths of all proposed streets	X	X	X	X	
The location, names, and right-of-way widths of all existing and proposed streets and driveways within 250 feet of the boundaries of the proposed land division	X		X	X	

Plat Requirements Matrix

Plat Requirements	Pre. Plat	Final	Short/ <u>ULS</u>	BSP	BLA/COMB.
Drawn on a sheet size of 18-inch by 24-inch (preliminary plats shall be on drawn on a 24-inch x 36-inch sheet)	X	X	X	X	X
The location, size, and use of all proposed and existing common and public areas and a description of uses contemplated	X	X	X	X	
The location and use of all existing buildings within the proposed land division, indicating which buildings are to remain and which are to be removed	X		X	X	X
The location, width, and a description of all existing easements in the land division including notes regarding and proposed easement changes	X	X	X	X	X
The location of any state shorelines and associated wetlands within the subdivision	X	X	X	X	X
A title block listing the proposed name of the land division	X	X	X	X	X
A title block including name and address of the original tract owner, the name, address, and phone number of the applicant, the name, address, and phone number of the engineer, surveyor, or other individual responsible for laying out the land division, a north arrow, the scale of the drawing, and the date of the drawing	X	X	X	X	X
The location in or within 200 feet of the land division of any springs, creeks, drainage courses, drainage ways, wetlands, and wetland buffers, slopes over 15 percent, and 100-year floodplain boundaries including the elevation of the 100-year flood at the point immediately upstream from the land division	X	X	X	X	X
An information block containing the original tract size in acres; gross density; net density (gross minus roads, unbuildable critical areas, open spaces, and or storm drainage facilities, etc.); the area of roads, critical areas by type, and open spaces; the number of lots; the number of tracts; the minimum lot size; the average lot size; the maximum lot size; and a legal description of the original tract	X				
The use and approximate location of all buildings within 50 feet of the boundaries of the proposed land division	X				
The location and disposition of any wells, septic tanks, and/or drain fields in or within 50 feet of the proposed land division	X		X		X
The location, size, and type of utilities in and adjacent to the proposed subdivision, indicating those utilities which will provide service to the proposed development and their planned location within the subdivision	X				
Topography in not less than five-foot contour intervals certified by the engineer or surveyor within the proposed subdivision and not less than 10-foot contour intervals within 50 feet of the proposed subdivision	X		X	X	

Plat Requirements Matrix

Plat Requirements	Pre. Plat	Final	Short/ <u>ULS</u>	BSP	BLA/COMB.
A vicinity map drawn to a scale of four inches equals one mile or other approved scale of sufficient detail to orient the location of the original tract	X		X	X	
The location of any public facilities such as schools and parks within 200 feet of the proposed subdivision	X				
Zoning designations within and adjacent to the subdivision	X		X	X	
Space or a second 18-inch by 24-inch Mylar sheet shall be reserved for comments, conditions, and appropriate city signatures			X	X	
The layout of an internal vehicular and pedestrian circulation system, including proposed ingress and egress for vehicles				X	
The number and location of proposed or existing parking spaces on and off the site				X	
Include elevations and floor plans as known				X	
A phasing plan and time schedule, if the site is intended to be developed in phases or if all building permits will not be submitted within three years				X	
BLA / Lt Combo The proposed lines for all affected lots, indicated by heavy solid lines					X
The existing lot lines proposed to be changed, indicated by heavy broken lines					X
The location and dimensions of all structures/improvements existing upon the affected lots and the distance between structures/improvements and the proposed lot/boundary lines					X
The original legal description of the entire property together with new separate legal descriptions for each parcel, labeling them specifically as parcel A, parcel B, etc.					X
The position of rebar and caps set at each new property corner					X

EXHIBIT P

Chapter 21.75

Unit Lot Subdivisions

21.75 Unit Lot Subdivisions

Sections:

21.75.010 Applicability.

21.75.020 Filing procedures and fee.

21.75.030 General regulations.

21.75.040 Recording.

21.75.010 Applicability.

Every unit lot subdivision shall comply with the provisions of this chapter.

A. A unit lot subdivision creates a relationship between the parent lot and each "unit" lot created, allowing for individual ownership of housing on each unit lot while only applying site specific development standards to the parent lot as a whole.

B. A unit lot subdivision may be used in any development with two or more dwelling units meeting the standards of this section.

C. A unit lot subdivision may also be used to subdivide an accessory dwelling unit from the principal structure.

D. A unit lot subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this section meets the requirements of this section.

21.75.020 Filing procedures and fee.

Unit lot subdivisions resulting in nine or fewer lots shall be processed as short subdivisions per Chapter 21.35 UPMC, and all others shall be processed as subdivisions and subject to all provisions of Chapter 21.20 and Chapter 21.25 UPMC. A complete application shall be submitted to the Department using forms provided by the Department together with the application filing fee. See Appendices A and B for short subdivision and subdivision application submittal requirements.

21.75.030 General regulations.

A. Development as a whole on the parent lot, rather than individual unit lots, shall comply with the applicable design and development standards for the underlying zone.

B. Within the parent lot, parking required for a dwelling unit may be provided on a different unit lot than the unit lot with the dwelling unit for which the parking serves, as long as the right to use the parking is included in notes on the face of the plat or formalized by an easement recorded with the Pierce County Auditor.

C. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

D. The individual unit lots are not separate buildable sites. Additional design and development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

E. Unit lots may not be further divided by additional unit lot subdivisions, except in compliance with applicable units allowed per lot as set forth in UPMC 19.45.040. Further subdivision or alterations to unit lots or the larger parent lot must follow the amendments, alterations, and variation process in UPMC 21.50.

21.75.040 Recording.

A. Further Divisions. Land within a unit lot subdivision shall not be further divided in any manner for a period of five years from the date said approved unit lot is recorded with the auditor without the filing of a final unit lot on the land that is proposed to be further divided, except that when the parent lot contains fewer than nine residential building unit lots, the owner who filed the unit lot subdivision may file an alteration within the five-year period to create a total of up to nine unit lots within the original parent lot boundary.

B. The title of the plat shall include the phrase "Unit Lot Subdivision."

C. Notes shall be placed on the face of the plat or short plat as recorded with the County Auditor to state the following:

1. Approval of the design and layout of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.

2. Subsequent subdivision sections, additions, or modifications to unit structure(s) shall not create or increase any nonconformity of the parent lot.

3. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

D. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common facilities and features and shall be recorded with the county auditor. Common facilities and features include, but are not limited to, common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features.

STUDY SESSION

Memo

DATE: June 2, 2025
TO: City Council
FROM: Matt Kaser, City Attorney
SUBJECT: Council Rules and Procedures Amendments

At the City Council's January 2025 retreat, it discussed seven (7) potential amendments to the City Council Rules and a potential amendment to the municipal code. Those items for discussion, as they appeared on the agenda for the January retreat, are as follows:

- Council Agendas (Review Procedure)
- Council Meeting Start/End
- Council Comments/Reports (Time Limit?)
- Proclamations/Recognitions (Criteria and Process)
- Presentations (Criteria and Process, Study Session v. Q&A)
- Appointment of Advisory Commissions (Interviews for Incumbent)
- Finance Committee (Full Council Quarterly Update, Special Meeting).

Of these seven items, Council identified potential changes to four: (1) Council Agendas; (2) Council Meeting Start/End times; (3) Proclamations/Recognitions; and (4) Finance Committee. And, of these four items, Council identified consensus on proposed amendments as follows:

1. Modification of the Agenda Process to ensure greater clarity;
2. A change to how the Council handles the meeting end time; and
3. Elimination of the Finance Committee. Instead, on a quarterly basis, financial reports would be discussed during a regular Council meeting.

On the remaining item, proclamations and recognitions, Council requested follow-up research on the approaches taken by other jurisdictions with an aim towards a UP-specific approach.

This memorandum outlines specific recommended changes to the Council Rules (with a change to one commonly-used form) and a review of how other local governments address recognitions within their rules (if they do at all).

DISCUSSION

A. Change to Agenda Process.

Under the current rules, two rules specify how Councilmembers get items on the agenda. Those two rules are not necessarily synchronized.

Memo

The “main” rule, Section 7.4 provides (in part):

An item may be placed on a Council meeting agenda by any of the following methods:

1. Council consensus is defined to be general agreement as determined by the Mayor.
2. By the City Manager.
3. By the Mayor.
4. By any two (2) Councilmembers.

A separate rule, Section 3(E)(4) provides:

When two or more Councilmembers may desire the preparation of an ordinance or resolution, they will provide notice of their request to the City Manager. Notice of the legislative proposal shall be filed with the City Clerk. A legislative proposal brought under this section shall be placed on an agenda within ninety (90) days of the City Clerk’s receipt of the proposal.

There has been confusion where members of the Council have sought to add items which may not necessarily result in legislation. To that end, two changes are recommended:

1. Deletion of Section 3(E)(4)(quoted above) and moving most of the text to the end (with some change in wording) to Section 7.4, such that it would now read (new text is underlined):

By any two (2) Councilmembers. When two or more Councilmembers may desire the preparation of an ordinance or resolution, they will provide notice of their request to the City Manager. Notice of the request to place an item on the agenda shall be filed with the City Clerk. A request brought under this section shall be placed on an agenda within ninety (90) days of the City Clerk’s receipt of the proposal.

2. A corresponding change to internal process by changing the “Legislative Proposal” form. This form has historically been used to advance legislation. With the corresponding proposed rule change, the suggested amendments to this form are attached to this memorandum.

Memo

B. Change to Meeting Extensions

Under a literal reading of the current rule, so-called “motions to extend” must be made by 8:30 p.m. Failing that, the meeting should technically adjourn at 9:00 p.m. To conform with current practice, a one-word amendment to Section 6(D) is recommended as follows:

Adjournment. Regular and Special Council meetings shall adjourn at 9:00 p.m. The adjournment times established hereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. During Regular and Special Meetings, any Councilmember may call for a “Point of Order” ~~at~~ after 8:30 p.m. to review agenda priorities. After adjournment of Council meetings, City Hall will remain open for 15 minutes to allow for closing procedures. In the event that Council adjourns to Executive Session, staff will secure the equipment and leave City Hall open until the final adjournment.

C. Removal of the Finance Committee.

Council discussed options for receiving its financial information. Historically, the means by which it has done so is via its Finance Committee. However, given that the Finance Committee consists of all the members of the Council, the recommended approach would be to simply terminate this committee and fold the financial discussions into a regular meeting.

D. Proclamations and Recognitions.

Council expressed a desire on revisiting its current rule on proclamations. To recap, the current rule (Section 7.5) provides in relevant part:

A proclamation is defined as an official announcement made by the Mayor or the City Council.

City Council Proclamations are made for the purpose of recognition of an individual, group or event. City Council Proclamations shall be publicly read at a City Council meeting and presented to a representative(s) of the event during the Council meeting.

The current rule, however, lacks direction on a number of different levels including (1) who makes the decision to issue a proclamation; (2) standards for the issuance of a proclamation; (3) what level of Council input, if any, should there be on such a proclamation.

A review of other local governments provide no clear answers either.

Practices range from municipalities which have no formal rules (DuPont). At least one (Lakewood) has language, which (in part) tracks the above-quoted provisions of University Place’s rules. At least two jurisdictions (Tacoma, Puyallup) significantly vary from University Place’s current practice.

Memo

Decision points for Council:

1. Who makes the initial decision? Several of these rules entrust the initial threshold decision whether a request merits consideration by its council to either the Mayor, City Manager or some other staff designee. From there, the request must garner majority support of the council. Still others grant to these individuals approval of the issuance of the proclamation.
2. Form of Recognition. Not all forms of recognition result in the issuance of a proclamation. Several jurisdictions “bifurcate” their proclamations into council-issued ones and mayor-issued ones. One jurisdiction (Puyallup) provides for tiers of recognition,” in which a proclamation is the second-highest of five forms of recognition.
3. Public vs other forums. Historically, the City Council has publicly awarded such proclamations. Other jurisdictions recognize that there may be circumstances which warrant departure from these rules.
4. What standards apply? Proclamations, at least in part, contain a subjective element of what warrants recognition and what does not. Some jurisdictions have sought to impose some standards (i.e., “significant local interest” (Puyallup); “timely, have potential relevance to a majority of Tacoma’s population, and either forward positive messages or call upon the support of the community” (Tacoma)).

Samples of other local council’s rules of procedure are attached.

SECTION 1. GENERAL

These rules constitute the official rules of procedure for the University Place City Council. In all decisions arising from points of order which are not covered by these rules, the Council shall be governed by the most current published edition of Robert's Rules of Order, a copy of which is maintained in the office of the University Place City Clerk. The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at the Council meeting.

SECTION 2. ORGANIZATION

- A. Swearing in of New Councilmembers. New Councilmember(s) shall be sworn in, according to the requirements of State law as they currently exist or may hereafter be amended. State law currently allows new Councilmembers to be sworn in (a) Up to ten days prior to the scheduled date of assuming office, including just prior to commencing the first meeting in which the newly elected Councilmember(s) will assume office; or (b) At the last Regular Meeting of the City Council held before the beginning of the year in which Councilmember-elect is to assume office. Under current State law, the oath may be administered and certified by "any officer or notary public who administers oaths, without charge therefore." This includes but is not limited to, the City Clerk and any judicial officer.
- B. Vacancies of Office. A vacancy of office will occur upon the death or resignation of the incumbent, the incumbent ceasing to be a legally registered voter of the city, the incumbent's conviction of a felony or other offense involving a violation of his or her official oath, and other events as set forth in RCW 42.12.010. If a vacancy should occur, the remaining members of the City Council shall appoint a qualified person to fill the vacant position pursuant to the provisions of 42.12.070 within ninety (90) days of the occurrence of the vacancy. Councilmember appointees under this section shall be sworn in prior to assuming their seat on the Council.
- C. Election of Mayor and Mayor Pro Tem. The Mayor shall serve as the Presiding Officer of the Council. In the temporary absence of the Mayor, the Mayor Pro Tem shall perform the duties and responsibilities of the Mayor with regard to conduct of meetings and emergency business.

The motion to elect the Mayor and the Mayor Pro Tem will be placed on the Agenda of the first regular City Council meeting in January following certification of the election and the Mayor and Mayor Pro Tem will serve in office for two (2) years.

In the event the Mayor is unable to serve the remainder of the term, due to his or her removal from office as provided in RCW 42.12.010, or his or her resignation as Mayor or from the City Council, or upon his or her death, the Mayor Pro Tem shall serve as Mayor for the remainder of that term and a new Mayor Pro Tem shall be elected.

In the event the Mayor Pro Tem is unable to serve the remainder of the term, a new Mayor Pro Tem shall be elected at the next Regular Meeting.

1. Nomination Procedure. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do **not** require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is **not** necessary.
2. Voting Procedure. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Councilmembers will be asked for a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare the nominee elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receive a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Mayor Pro Tem is opened for nominations.

Council Rules of Procedure

D. Quorum. At all Council meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business.

E. Voting. The votes during all Council meetings shall be conducted as follows:

1. Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote may be taken by the Clerk. A vote by open ballot may be taken, pursuant to a two-thirds vote, without debate, of the full Council. The City Clerk will conduct the ballot vote, providing a ballot to each Councilmember, and announcing for the record each Councilmember's vote.
2. In case of a tie on any motion, the motion shall be considered lost.
3. Each Councilmember shall vote on all questions put to the Council unless a conflict of interest or an appearance of fairness question under State law is present. Failure to vote shall be deemed to be an affirmative vote. Councilmembers may submit written comments for the record on an issue that will be voted on in their absence.

F. Attendance, Excused Absences.

1. Absences. Members of the Council may be excused from attending a City Council meeting as follows:
 - a. Contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or Clerk, who shall convey the message to the Mayor. During roll call, the Clerk shall announce that the Councilmember is excused and the minutes will show the Councilmember as having an excused absence. An excused absence under this provision is subject to reconsideration upon motion of a majority of the Councilmembers then-present.
 - b. On motion of a majority of the Councilmembers present.
2. Remote Participation. Councilmembers may participate in meetings by voice or video conferencing technology. Remote attendance is for the benefit of the City and not for the benefit of an individual Councilmember and is intended to be the exception to in-person attendance. Unless one of the following circumstances are present, participation will not constitute attendance, the absent Councilmember will be deemed to be absent, and the Councilmember will not be able to vote remotely:
 - a. If a local, state, or federal emergency has been declared and the circumstances are such that Councilmembers or the public cannot attend in-person with reasonable safety because of the emergency; or
 - b. If either (1) a quorum will not be present; or (2) there are fewer Councilmembers present than the minimum number of votes necessary for passage of a measure on the agenda, then one or more Councilmembers will be permitted to participate remotely; or
 - c. In circumstances not satisfying subparts (a) or (b), so long as there is an option for the public to listen to the meeting and the Councilmember has a circumstance (i.e., out-of-town travel, illness or other emergency) which would ordinarily justify an excused absence.

All requests for remote participation shall be directed to the Mayor, City Manager and City Clerk. Furthermore, all requests for remote participation are subject to technological limitations.

3. Unexcused Absences. Pursuant to RCW 35A.12.060, a Council position shall become vacant if the Councilmember fails to attend three consecutive regular meetings of the Council without being excused.

Council Rules of Procedure

G. General Decorum.

1. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking, nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules. Members shall refrain from restating minority opinions on issues previously acted upon solely for the purpose of continued debate. Councilmembers shall emphasize and encourage respectful behavior from everyone in attendance.
2. Any person making personal or slanderous remarks or who becomes disorderly while addressing the Council or while in the Council Chamber while the Council is in session, shall be asked to leave by the Presiding Officer. To limit distractions, the Presiding Officer shall request any person participating in side conversation to abstain from conversing or to resume the conversation outside of the Council Chamber.

H. Confidentiality.

1. Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington or under Public Disclosure Ordinance adopted by the Council.
 2. If the Council, after Executive Session, has provided direction or consensus to City staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated City staff representative handling the issue. Councilmembers should consult with the City Manager and/or City Attorney prior to discussing such information with anyone other than other Councilmembers, the City Attorney or City staff designated by the City Manager. Any Councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the City Manager and Council in a timely manner.
- I. City Clerk. The Clerk or an authorized Deputy Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the City Manager shall appoint a Clerk Pro Tempore for the meeting only.
- J. Attendance of Officers or Employees. Any City officer or employee shall have the duty when requested by the City Manager to attend Council meetings and shall remain for such time as the City Manager may direct.

SECTION 3. OFFICERS

- A. Presiding Officers. The Mayor, or in his or her absence, the Mayor Pro Tem, shall be the Presiding Officer of the Council. In the absence of both the Mayor and Mayor Pro Tem, the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.
- B. Presiding Officer's Duties. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order.
 2. Keep the meeting to its order of business.
 3. Control discussion in an orderly manner.
 - a. Every Councilmember who wishes an opportunity to speak must be recognized by the Chair.
 - b. Permit audience participation at the appropriate times.

Council Rules of Procedure

- c. Require all speakers to speak to the question and to observe the rules of order.
- 4. State each motion before it is discussed and before it is voted upon.
- 5. Put motions to a vote and announce the outcome.
- C. Presiding Officer, Question or Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- D. Presiding Officer, Participation. The Presiding Officer may at his or her discretion, call the Mayor Pro Tem or, in his or her absence, any member to take the Chair so the Presiding Officer may make a motion or for other good cause yield the Chair.
- E. Legislation.
 - 1. The City Council adopts laws and regulations of the City by written ordinance, which after passage shall be codified in the University Place Municipal Code.
 - 2. The City Council approves agreements and expresses its legislative policies and intent by written resolution, which after adoption, are retained in the files of the City Clerk.
 - 3. Where appropriate circumstances exist as determined by a majority vote of the City Council, the Council may approve agreements, and express its legislative policies and intent by oral or written motion, which after passage will be documented verbatim in the minutes of the Council meeting and retained in the files of the City Clerk.
 - ~~4.1. When two or more Councilmembers may desire the preparation of an ordinance or resolution, they will provide notice of their request to the City Manager. Notice of the legislative proposal shall be filed with the City Clerk. A legislative proposal brought under this section shall be placed on an agenda within ninety (90) days of the City Clerk's receipt of the proposal.~~
 - ~~5.4.~~ No legislation shall be prepared for presentation to the Council, unless requested by a majority of the Council, or requested by the City Manager or City Attorney. All legislation shall be prepared or reviewed by the City Attorney.

SECTION 4. DUTIES AND PRIVILEGES OF COUNCILMEMBERS

- A. Forms of Address. The Mayor shall be addressed as "Mayor (surname)," "Your Honor," or Mr./Madam Mayor. Members of the Council shall be addressed according to their preference as "Councilmember (surname)," "Councilor (surname)," or Mr./Mrs./Miss/Ms. (surname). First names shall not be used in the Council Chamber.
- B. Seating Arrangement at Regular Meetings. The Mayor shall sit at the center of the Council, and the Mayor Pro Tem shall sit at the left hand of the Mayor. The most recent former Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.
- C. Dissent and Protests. Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

SECTION 5. COUNCIL COMMITTEES/APPOINTMENTS

Council committees are policy review and discussion arms of the City Council. Committees may study issues and develop recommendations for consideration by the City Council. Committees may not take binding action on behalf of the City.

Council Rules of Procedure

The City may meet for study or special project purposes as a Committee of the Whole or may establish Council subcommittees with three or fewer members.

Council Committee structure shall be as determined by the City Council in January of each year and may include:

- A. Council Committee of the Whole – (Seven Councilmembers)
- B. Council Committees – Standing Committees established for special purposes, tasks, or timeframes (four or more Councilmembers)
- C. Subcommittees of the City Council – Ad hoc and informal working or study group (three or fewer Councilmembers)
- D. Councilmember Appointments – To task teams or City advisory boards, commissions, and committees (three or fewer Councilmembers)
- E. Liaison/Representative Appointments – To other advisory bodies or groups.
- ~~F. Finance Committee – The City Council shall meet as it deems necessary as a Finance Committee comprised of all City Council Members. The Finance Committee may be scheduled for any regular or special City Council meeting to review City finances. The Mayor Pro Tem shall serve as the Chair of the Finance Committee.~~

SECTION 6. MEETINGS

- A. Regular Meetings. Regular meetings will occur as provided by resolution of the City Council.
- B. Special Meetings. Special meetings may be scheduled in accordance with State law.
- C. Emergency Meetings. If at any time there is a need for expedited action by the City Council to meet on emergency situation, the Mayor, or in the absence of the Mayor, the Mayor Pro Tem or any four members of the Council, may call an emergency meeting at a place and time as necessary, and the meeting shall be noticed and conducted in accordance with State law.
- D. Adjournment. Regular and Special Council meetings shall adjourn at 9:00 p.m. The adjournment times established hereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. During Regular and Special Meetings, any Councilmember may call for a “Point of Order” at after 8:30 p.m. to review agenda priorities. After adjournment of Council meetings, City Hall will remain open for 15 minutes to allow for closing procedures. In the event that Council adjourns to Executive Session, staff will secure the equipment and leave City Hall open until the final adjournment.
- E. Televised Meetings. Regular meetings, including Study Sessions held during Regular meetings, will be televised, and that the televising of any study session outside of the regular meetings will be approved by a super majority vote of the Council.

SECTION 7. COUNCIL ORDER OF BUSINESS

The agenda format of the Regular City Council meeting shall be as follows except that if an agenda section contains no scheduled items, that section will be deleted from a particular agenda.

7.1 Call to Order

The Mayor shall call the meeting to order. Councilmembers may request to be excused from a meeting for bona fide reasons, by requesting the same of the Mayor and so notifying the City Clerk.

7.2 Roll Call

The City Clerk will call the roll.

7.3 Pledge of Allegiance

Councilmembers and, at times, invited guests will lead the Pledge of Allegiance to the Flag.

7.4 Approval of the Agenda

All items to be included on the Council's agenda for consideration should be submitted in full to the City Clerk by noon of the Tuesday preceding each regular Council meeting. The City Clerk and City Manager shall then prepare a proposed agenda according to the order of business, with consultation by the Mayor and Mayor Pro Tem. If either the Mayor or Mayor Pro Tem are not available during an agenda-setting meeting, an attempt should be made to have another Councilmember participate in the agenda-setting meeting as a substitute. A final agenda will then be prepared by the City Clerk and distributed to Councilmembers as the official agenda for the meeting.

An item may be placed on a Council meeting agenda by any of the following methods:

1. Council consensus is defined to be general agreement as determined by the Mayor.
2. By the City Manager.
3. By the Mayor.

4. By any two (2) Councilmembers. When two or more Councilmembers may desire the preparation of an ordinance or resolution, they will provide notice of their request to the City Manager. Notice of the request to place an item on the agenda shall be filed with the City Clerk. A request brought under this section shall be placed on an agenda within ninety (90) days of the City Clerk's receipt of the proposal.

During the meeting subject to the agenda, Councilmembers may by majority vote modify the agenda, including additions and deletions, to the extent allowed by law.

Consideration and voting of any subject, legislation, or communication by the Council shall not ordinarily be placed under the Council Consideration section of the agenda, unless the subject, legislation, or communication has been reviewed by the full Council via Study Session at least one week prior to the date it is considered under the Council Consideration. The Council may, by majority vote, in approving the agenda, determine to consider a subject, legislation, or communication under Council Consideration without prior Study Session review.

Legally required advertised public hearings will have a higher priority over other agenda items scheduled for convenience rather than for statutory or other reasons.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

7.5 Proclamations and Presentations

A proclamation is defined as an official announcement made by the Mayor or the City Council.

City Council Proclamations are made for the purpose of recognition of an individual, group or event. City Council Proclamations shall be publicly read at a City Council meeting and presented to a representative(s) of the event during the Council meeting.

A presentation is defined as an official report presented by an individual(s) and/ or special interest group at a City Council meeting. This may also include specific items brought forward at the request of the City Manager in order to properly brief the City Council and public about City business and/or matters of public concern.

7.6 Public Comments

Members of the audience may comment on items relating to any matter related to City business under the "Public Comments" period. Comments are limited to three (3) minutes per person. The Mayor shall determine the overall amount of time set for "Public Comments." Public comments sign-up forms will be available at the City Clerk's desk at each meeting for use by those citizens wishing to address the Council. The City Clerk shall serve as timekeeper.

In addressing the Council, each person should stand, and after recognition, move to the podium, give his/her name and address, and unless further time is given by the presiding officer, shall limit his/her comments to three minutes. All remarks shall be made to the Council as a body and not to any individual member.

No person shall be permitted to enter into any discussion from the floor without first being recognized by the presiding officer.

The public is also invited to provide written comment on any legislative matter. Unless a different timeline applies pursuant to Code or provision of law, such written comments are encouraged to be filed with the City Clerk by the close of business of the day of a Regular Council Meeting.

7.7 Consent Agenda

Approval of the Consent Agenda is considered to be routine and noncontroversial, and it may be approved by a majority vote after a motion and a second. Items on the Consent Agenda include but are not limited to the following:

- A. Approval of minutes.
- B. Fixing dates for public hearings when such is required by law.
- C. Fixing dates for hearings on appeals.
- D. Approval of claims and vouchers bid awards and contracts.
- E. Approval of final plats.
- F. Passage of resolutions and/or ordinances which the City Council has given direction to place on the consent agenda.
- G. Items Filed in the Office of the City Clerk (minutes and/or reports of Committees, Boards, and Commissions).
- H. Appointments of individuals to committees, boards, and commissions.
- I. Other items designated by the City Council.

Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

7.8 Public Hearings and Appeals

Council Rules of Procedure

Public hearings shall be held as required by law and shall follow the legally proscribed process. Public hearings may also be held at the request of the Council even though not legally required. In such instance, the process shall be as proscribed for that hearing by Council.

7.9 Council Consideration

Motions and other business of a general nature shall be set for action during this section of the agenda. Unless a majority of the Council votes otherwise, final consideration of any legislation shall include comments from members of the public. Comments will be limited to three (3) minutes from individuals or from persons speaking as a representative of an organization, club, or group. The Presiding Officer may allow additional time for receipt of written testimony, when needed

7.10 Reports by the City Manager

The City Manager may update Councilmembers on current issues or items of Council interest.

7.11 City Council Comments

The Mayor and Councilmembers may take this opportunity to make comments, extend compliments, express concerns, report to the Council as Board, Committee and Commission liaisons, or make announcements concerning any topic they wish to share. Councilmembers are encouraged to use this time to make reports on the activities, meetings, or issues arising from their service as a designated City representative to a community or intergovernmental organizations or agencies.

7.12 Study Sessions

Study Sessions will be informal in nature and for the purpose of discussing, investigating, reviewing or studying matters of City business with City staff for informational purposes. In addition, individuals may petition to appear on the agenda of a future Study Session to address the Council on specific issues or requests. Such petitions should be directed to the City Clerk or the City Manager for scheduling on a future Study Session agenda as time allows.

7.13 Adjournment

Recess. The foregoing agenda may be interrupted for a stated time as called by the Presiding Officer to recess for any reason, including executive sessions.

SECTION 8. EFFECT/WAIVER OF RULES

In the intent of the City Council is that Council procedures be periodically reviewed as needed, but no less than every two years. Accordingly, Council procedures shall be considered in the month of January of every even-numbered year and may be considered at any other time that Council shall choose to review them.

These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may, by two-thirds vote of those members present and voting, determine to temporarily waive any of the provisions herein. A two-thirds vote is five of seven votes, four of six votes, four of five votes, and three of four votes.

Agenda Proposal/Request

Nature of Request: ☐ Legislation ☐ Study/Discuss ☐ Proclamation/Recognition ☐ Other (Explain below).
Desired Proposal/Request: <i>(What outcome is sought?)</i>
REASON FOR THE PROPOSAL/REQUEST: <i>(Why is this request necessary?)</i>
BACKGROUND INFORMATION: <i>(Provide background information to assist in understanding the legislative history or rationale for the proposal/request, including information on existing Code/Policy.)</i>
FISCAL IMPACT:
RESOURCES REQUIRED:

Submitted by:

(Signature)

(Date)

I have read, understand and fully support the above proposal.

(Signature)

(Date)



CITY COUNCIL RULES OF PROCEDURE

Adopted December 18, 1995
Amended July 15, 1996
Amended October 4, 2004
Amended March 5, 2007
Amended February 19, 2008
Amended July 16, 2012
Amended March 2, 2015
Amended January 17, 2017
Amended November 1, 2021

3.1 Call to order

The Mayor shall call the meeting to order. Councilmembers may request to be excused from a meeting by requesting the same of the Mayor and so notifying the City Clerk.

3.2 Roll call

The City Clerk will call the roll.

3.3 Pledge of Allegiance

Councilmembers and, at times, invited guests will lead the Pledge of Allegiance to the Flag.

3.4 Proclamations and Presentations

A proclamation is defined as an official announcement made by the Mayor or the City Council.

City Council proclamations are made for the purpose of recognition of an individual, group or event. City Council Proclamations shall be publicly read at a City Council meeting and presented to a representative(s) of the event during the Council meeting.

Mayor's Proclamations are made for the purpose of recognition of an individual, group or event and which are typically requested by and for a special interest group within the City. Mayor's Proclamations are signed by the Mayor and forwarded to a representative of the event.

The Mayor and City Manager shall determine if the Proclamation request is for a City Council Proclamation or a Mayor's Proclamation.

A presentation is defined as an official report presented by an individual(s) and/ or special interest group at a City Council meeting. This may also include specific items brought forward at the request of the City Manager in order to properly brief the City Council and public about City business and/or matters of public concern.

3.5 Public Comments

Members of the audience may comment on items relating to any matter related to City business under the "Public Comments" period. Comments are limited to three (3) minutes per person, but may be shortened to accommodate a large number of speakers in the time set by the Mayor. If the amount of time per person is shortened, this will be announced at the outset of the Public Comment portion of the agenda and will apply to all members of the audience. The Mayor shall determine the overall amount of time set for "Public Comments."

Public comments sign-up forms will be available at the City Clerk's desk at each meeting for use of those who wish to address the Council in person.

**FIRCREST CITY COUNCIL RULES OF PROCEDURES
RESOLUTION NO. 1708**

SECTION I – GENERAL PROVISIONS

RULE 1. COUNCIL MEETING - LOCATION

All meetings of the City Council shall be held at the location (City Hall) specified in FMC 2.12.020 or other such location within the City as may be designated by resolution. Committee of the Whole meetings, study sessions, or retreats may be held at places that are reasonably accessible to the general public, whether within or without the corporate limits of the City.

RULE 2. COUNCIL MEETING - TIME

The regular meetings of the City Council shall be held at the times (2nd and 4th Tuesdays at 7:00 P.M.) specified in FMC 2.12.010. If a meeting falls on a holiday, it shall be held the next business day unless otherwise provided by the Council. As specified in Rule 20(O), regular meetings of the City Council are not permitted to continue beyond 10:30 P.M. without the approval of the majority of the Councilmembers who are present and eligible to vote.

RULE 3. COUNCIL MEETINGS - OPEN TO THE PUBLIC

All meetings of the City Council and of committees thereof shall be open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140 as amended.

RULE 4. ELECTION OF OFFICERS

Procedures for election officers are as follows:

- A. Biennially, at the first meeting of the new Council, the members thereof shall choose a chair from among their number who shall have the title of Mayor. In addition to the powers conferred upon him/her as Mayor, he/she shall continue to have all the rights, privileges, and immunities of a member of the Council. If a vacancy occurs in the Office of Mayor, the members of the Council at their next regular meeting shall select a Mayor from among their number for the unexpired term. (RCW 35A.13.030)
- B. In conjunction with the above election, a Mayor Pro Tempore shall also be elected for a two-year term. An alternate Mayor Pro Tempore may also be elected periodically. (RCW 35A.13.035)
- C. The City Clerk shall call the meeting to order and shall chair the meeting until a new Mayor is elected. The above elections shall be by affirmative motion.

RULE 5. PRESIDING OFFICER

- A. The Mayor shall preside at all meetings of the Council, and be recognized as the head of the City for all ceremonial purposes. The Mayor has no regular administrative or executive purposes.
- B. Mayor Pro Tempore.
In case of the Mayor's absence or temporary disability, the Mayor Pro Tempore shall act as Mayor during the continuance of the absence. In case of the absence or temporary disability of the Mayor and the Mayor Pro Tempore, the City Clerk shall call the meeting to order and shall chair the meeting

F. Minutes need not be taken of committee meetings, except for the Committee of the Whole.

RULE 24. COUNCIL LIAISONS

A. In order to build additional Council expertise in various areas of City operations, the Mayor shall designate functional areas and appoint a Councilmember, at the beginning of the fiscal year, to serve as a liaison to the City Manager. Functional areas for liaison assignments may include the following, though specific areas may be adjusted depending on the organization of the City:

- Parks and Recreation
- Environment, Planning, Building
- Administration
- Finance, IT
- Water, Sewer, Storm
- Public Safety, Court
- Streets, Facilities & Equipment

B. The City Manager and respective department heads shall strive to provide liaisons with additional information beyond that normally provided to the Council as a whole, and to keep the liaisons abreast of developments, trends, conditions and issues in the various functional areas of City government.

RULE 25. ENACTED ORDINANCES, RESOLUTIONS, MOTIONS, AND PROCLAMATIONS

A. An enacted **ordinance** is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

B. An enacted **resolution** is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

C. An enacted **motion** is a form of action taken by Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

D. An enacted **proclamation** is an official announcement made by either the City Council or the Mayor on non-controversial events which have a major city-wide impact. Controversy is defined as a dispute, especially a lengthy and public one, between sides holding opposing views.

RULE 26. PROCLAMATIONS

A. City Council Proclamations.

City Council proclamations shall be publicly read at a City Council meeting and presented to a representative of the event during the Council meeting.

B. Mayor's Proclamations.

Are requested by a special interest group from within the City. Mayor's proclamations are signed by the Mayor and forwarded to a representative of the event.

- C. The Mayor and City Manager shall determine if the proclamation request is for a City Council proclamation or a Mayor's proclamation.

RULE 27. RESOLUTIONS

- A. Except for franchise resolutions as provided under Rule 28(B), a resolution may be put to its final passage on the same day on which it was introduced.
- B. The Presiding Officer will read a summary statement of the Resolution prior to its passage; provided, should a majority of the Councilmembers present request that the entire resolution or certain of its sections be read, such requests shall be granted.
- C. Printed copies shall be made available upon request to any person attending a Council meeting.
- D. Resolutions take effect immediately after they are approved by the vote of the Council, unless otherwise provided.

RULE 28. ORDINANCES

The procedure for ordinances is as follows:

- A. With the exception of franchise ordinances as provided below, an ordinance may be put to its final passage on the same day on which it was introduced.
 - 1. The Presiding Officer will read a summary statement of the Ordinance prior to its passage; provided, should a majority of the Councilmembers present request that the entire ordinance or certain of its sections be read, such requests shall be granted.
 - 2. Printed copies shall be made available upon request to any person attending a Council meeting.
 - 3. No ordinance shall contain more than one subject.
 - 4. An ordinance does not take effect until five days after date of publication, except for emergency situations.
- B. Franchises.

All resolutions and ordinances granting a franchise require two readings prior to adoption. The second reading must be at least five (5) days after the first reading.

 - 1. All franchise ordinances and resolutions may be passed only at a regular meeting of the Council; and at least four (4) Councilmembers must vote in favor of the franchise.
- C. Emergency Ordinances.

By vote of one more than the majority (5 Councilmembers), the City Council may, without notice or hearing, adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RCW 35.33.081.
- D. A Councilmember may, in open session, request of the Presiding Officer that the Council study the wisdom of enacting a particular ordinance. By affirmative motion, the Council may assign the proposed ordinance to a specific committee or the Committee of the Whole for study and consideration. The committee shall report its findings to the Council.
- E. If a motion to pass an ordinance fails, the ordinance shall be considered lost.
- F. Any ordinance amending or repealing any portion of the FMC shall also amend or repeal the respective portions of any underlying ordinance(s).



Rules of Procedure of the Council of the City of Tacoma

The rule is not intended to limit the public's right to influence the legislative process or to devalue the public's right to comment on and change pending legislation.

C. Amendments to Rules.

Amendments to these rules shall be made by resolution and shall require two readings.

D. Public Requests for Proclamations or Recognitions.

It is the policy of the Council to consider requests to proclaim certain events or causes when such proclamations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Tacoma's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of proclamations:

1. The person(s) or organization making the request must submit a completed Application Requesting a City Proclamation and submit a copy of the proposed proclamation.
2. The request should be made at least two weeks in advance of the requested Council meeting.
3. The Mayor, City Manager and/or staff designee will determine if the proposed proclamation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the City Council Committee of the Whole for its guidance.
4. The Council retains the right to limit the number of proclamations at a Council meeting.
5. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.
6. The City retains the right to decide if the proclamation will or will not be issued.
7. Once approved, the proclamation will be included on the appropriate Council agenda.
8. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

E. Public Requests for Presentations.

It is the policy of the Council to consider requests for presentations of certain events or causes when such presentations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential

PUYALLUP CITY COUNCIL

RULES OF PROCEDURE

- (4) Communication with citizens will be considered the exclusive domain of the Councilmembers. However, Councilmembers may refer questions to city staff.
- (5) Councilmembers may refer specific questions emanating from the neighborhood meetings to the City Manager for a response.
- (6) The City Manager or designee will be the point of contact for Councilmembers to coordinate neighborhood meetings.
- (7) It is the policy of the Council that neighborhood meetings be informal. While notice of such meetings may be made to assure compliance with requirements of Washington's Open Public Meetings Act, the scope of the meeting shall be limited to dialog and discussion between neighborhood citizens and their elected representatives and/or city staff.
- (8) No business or action (other than discussion) may be taken or considered by Councilmembers present at any neighborhood meeting. This prohibition on taking action includes, but is not limited to, action on any contract; a promise or the appearance of a promise to expend public funds regardless of type or source; action to recommend, pass, or adopt legislation; and action promising specific staff response, except as provided for in subsection (4) above.
- (9) The two (2) Councilmembers representing the district for which the meeting is held plus the at-large Councilmember shall determine the format for their neighborhood meeting.

11.2 COUNCIL RIGHTS AND RESPONSIBILITIES

- (1) Councilmembers have the right to express their personal opinions on a topic; provided, however, that whenever doing so outside of a Council meeting, the Councilmember must carefully distinguish between his or her opinion and the Council's policy or majority position, when such difference exists. Councilmembers, when expressing personal opinions or positions, should be careful to avoid undue influence of citizen boards and commissions.
- (2) Councilmembers must be careful not to make statements that obligate City funds without the prior approval of the City Council.

SECTION 12 RECOGNITION

12.1 The City Council, collectively, and councilmembers, individually, may issue or present various forms of recognition in accordance with this rule. The hierarchy of importance, and associated protocol for issuance of each type of recognition are as follows:

- (1) Keys to the City—issued pursuant to a super majority vote (5 or more votes in favor) of the Council. Keys are the City's highest form of recognition.

- Protocol: A councilmember may nominate a proposed recipient of a key to the city by sending the nomination to city management, who, in turn, will distribute the proposal to the Council. If a supermajority of councilmembers support issuance of a key, the proposal will be scheduled for a vote in an open public meeting. An issuance ceremony may occur in conjunction with the vote or separately.

(2) Proclamations—issued pursuant to a majority consensus of the Council.

- a. Live Presentation. If a majority of the Council supports the proclamation and determines that the subject matter is of significant local interest, or that presentation is warranted, then the proclamation will be added to the appropriate agenda for presentation.
- b. Other Presentation. If a majority of the Council supports the proclamation, but determines that the subject matter is not of significant local interest, or that another venue is appropriate, or that presentation during a live meeting is not otherwise warranted, or that issuance should occur in another manner, then the proclamation will be presented at the appropriate venue, sent by mail or issued in another appropriate manner.
 - Protocol: A councilmember may propose that a proclamation be issued by sending such proposal with draft proclamation language to the council support position in city management. In turn, the proposal will be distributed to the Council with a request for support or opposition and presentation venue feedback (significant local interest) by a stated deadline. If a majority of the Council supports issuance of the proclamation by the deadline, then the proclamation will be issued.

(3) Coins—awarded pursuant to the discretion of individual councilmembers from annual allotments. Each councilmember shall be allotted ten (10) coins per year. Notwithstanding the foregoing, the Council may authorize issuance of additional coins, or issuance of coins in mass.

(4) Certificates of Appreciation (or other)—awarded pursuant to the discretion of individual councilmembers, within reason.

(5) Memorabilia—awarded pursuant to the discretion of individual councilmembers from bulk accumulations. The amount and type of memorabilia should be determined by the Council.

Form Center

The form center is not intended for submitting a public records request.

If you wish to make a public records request click [here](#).

By [signing in or creating an account](#), some fields will auto-populate with your information.

Proclamation Request Form

[Sign in to Save Progress](#)

Requests for proclamations must be submitted at least three weeks prior to the date or council meeting date requested. Proclamations are processed as requested and must be re-requested annually. Council meetings are held Tuesday at 3 p.m. Verify the council schedule at www.piercecountywa.gov/councilmeetings

Type of proclamation*

- ☐ Executive Proclamation (signed by the Executive)
- ☒ Council Proclamation (signed by members of the County Council)

Choose the type of proclamation you are requesting.

Title of proclamation*

Purpose of proclamation *

**Individual, agency or organization
sponsoring the proclamation***

**Contact
email**

**Phone
Number**

**Please use the below template as a guide to draft text
of what you want the proclamation to communicate. All
text is subject to editing by staff.**

Proclamation Template

[Proclamation Template](#)

Please use this form to draft your template text. Once
you are complete please save and upload it below.

**Upload completed proclamation
template here***

No file chosen

Upload a draft copy of your one page
proclamation

Proclamation Examples

Proclamation

[A Proclamation
of the Pierce
County Council](#)

[Proclaiming](#)

[May 2024, as](#)

[“Asian](#)

[American,](#)

[Native](#)

[Hawai’ian, and](#)

[Pacific Islander](#)

[Heritage](#)

[Month” in](#)

[Pierce County,](#)

[Washington.](#)

Recognition

[A Recognition of the Pierce County Council](#)

[Honoring Lucas Hatton for Athletic Excellence
as America's Strongest Man 2023](#)

Comments or questions

**Requested
by:**

First Name*

Last Name*

Phone*

2535551000

Email Address*

Address*

City*

State*

Zip*

protected by reCAPTCHA

[Privacy](#) - [Terms](#)

☒ Receive an email copy of this form.

Email address

This field is not part of the form
submission.

Submit

* indicates a required field

HOW CAN WE HELP?

Pierce County wants to hear from you. Please select one of the following to talk to elected officials and staff, or to report problems in our community.

[Send a message](#) <

[File a Police
Report](#) <

[Report an Issue](#) <

**UNIVERSITY PLACE CITY COUNCIL
Regular Council Meeting
Monday, June 2, 2025, 6:30 p.m.**



Note: Times are approximate and subject to change.

PUBLIC NOTICE

The University Place City Council will hold its scheduled meetings to ensure essential city functions continue. Members of the public can attend and participate in a Council meeting in the following manners:

- In-person at the City Council Chambers at 3609 Market Place West, Third Floor;
- Watch live broadcast on University Place Television, Lightcurve (formerly Rainier Connect) Channel 12 or Comcast Channel 21 (SD) or 321 (HD);
- Watch live broadcast on the City's YouTube channel www.YouTube.com/UniversityPlaceTV;
- Watch live broadcast on the City's website www.cityofup.com/398/City-Council-Meetings;
- Listen by telephone by dialing 1 509-342-7253 United States, Spokane (Toll), Conference ID: 537 603 454#; or
- Attend virtually by clicking this hyper-link: [Click here to join the meeting](#).

How to participate in Public Comment and public testimony on Public Hearings:

- In-person at the City Council Chambers.
- Written comments are accepted via email. Comments should be sent to the City Clerk at Egenetia@cityofup.com. Comments received up to one hour (i.e., 5:30 p.m.) before the meeting will be provided to the City Council electronically.
- Participation by telephone. Call the telephone number listed above and enter the Conference ID number. Once the Mayor calls for public comment, use the "Raise Hand" feature by pressing *5 on your phone. Your name or the last four digits of your phone number will be called out when it is your turn to speak. Press *6 to un-mute yourself to speak.
- Participation by computer. Join the meeting virtually by clicking on the hyper-link above. Turn off your camera and microphone before you press "Join Now." Once the Mayor calls for public comment, use the "Raise Hand" icon on the Microsoft Teams toolbar located at the top of your screen. Your screen name will be called out when it is your turn to speak. Turn on your camera and microphone (icon located at the top of your screen) to unmute yourself. Once you are done, turn off your camera and microphone.

In the event of technical difficulties, remote public participation may be limited.

AGENDA

- 6:30 pm **1. CALL REGULAR MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE – Councilmember Boykin**
- 4. APPROVAL OF AGENDA**
- 6:35 pm **5. PUBLIC COMMENTS**
- 6:40 pm **6A. – CONSENT AGENDA**
- 6C. 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 from 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. Approve the minutes of the 05/19/25 Council meeting as submitted.**
- B. Receive and File: Payroll for period ending 05/15/25; and Claims dated 05/15/25.**
- C. Adopt a resolution appointing voting delegates to the 2025 Association of Washington Cities' Annual Business Meeting.**

7. CARRYFORWARD BUDGET ADJUSTMENT

• Staff Report	• Public Comment	• Council Consideration
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8. MIDDLE HOUSING (HB-1110) LEGISLATIVE COMPLIANCE

• Staff Report	• Public Comment	• Council Consideration
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9. CITY MANAGER & COUNCIL COMMENTS/REPORTS - (Report items/topics of interest from outside designated agencies represented by Council members, e.g., AWC, PRSC, Pierce Transit, RCC, etc., and follow-ups on items of interest to Council and the community.)

10. COUNCIL RULES OF PROCEDURE AMENDMENTS *(Second study for an adoption of a Resolution.)*

11. ADJOURNMENT

American Disability Act (ADA) Accommodations Provided Upon Advance Request
Call the City Clerk at 253-566-5656