

**ORDINANCE NO. 551**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,  
WASHINGTON, REVISING THE CITY'S TRAFFIC IMPACT FEE PROGRAM**

WHEREAS, the City of University Place adopted a Comprehensive Plan establishing the intent of the citizens to ensure that new developments pay a proportionate share of the cost of new facilities needed to serve such growth; and

WHEREAS, the Comprehensive Plan contains a complete description of the existing level of service for transportation facilities and the impacts of future growth on that level of service; and

WHEREAS, the City Council adopted Ordinance No. 494 to establish the City's traffic impact fee program; and

WHEREAS, the City Council adopted Ordinance Nos. 499, 503, and 520 each of which revised the traffic impact fee program; and

WHEREAS, both the State and the Nation are currently experiencing a major economic recession; and

WHEREAS, in consideration of this nationwide economic down-turn, the City Council wishes to make a temporary revision to the traffic impact fee program;

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

Section 1. Revised Section. Section 4.65.040 of the University Place Municipal Code is hereby temporarily amended to read as follows (new text is shown as underlined, deleted text is shown as struck through):

**4.65.040. Applicability.**

(a) All persons receiving a Permit from the City of University Place after the effective date of this ordinance shall be required to pay impact fees in an amount and manner set forth in this Chapter. This Chapter shall also apply to development located outside of the city limits if the following conditions are met:

- (i) The development is required to obtain a right-of-way permit from the City of University Place; and
- (ii) The development impacts the city's street system by adding Peak Hour Trips.

(b) Notwithstanding the scope set forth in subsection (a), above, the following development activities shall not require payment of traffic impact fees because they do not have a measurable impact on the City's transportation facilities:

- (i) Existing dwelling unit. Any alteration, expansion, reconstruction, remodeling or replacement of existing single family or multifamily dwelling units that does not result in the creation of additional dwelling units; or
- (ii) Existing non-residential building. Any alteration, reconstruction, remodeling or replacement of an existing non-residential building, or portion thereof, that does not result in the generation of any new Peak Hour Trip as long as the existing non-residential building has not been


vacant for more than ~~two~~ four years. If the building has been vacant for ~~two~~ four years or less, then the number of Peak Hour Trips attributable to that building, or portion thereof, shall be based upon the most intense legally-established use that existed within ~~two~~ four-years of Permit application. If the building, or portion thereof, has been vacant for more than ~~two~~ four years, then it shall not be treated as an existing non-residential building for traffic impact fee purposes.

Section 2. Sunset Date. This ordinance shall sunset and shall no longer be in force and effect 24 months from the effective date identified in Section 4. After 24 months, the vacancy period shall revert back to two years.

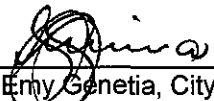
Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

**PASSED BY THE CITY COUNCIL ON MAY 4, 2009.**

  
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Linda Bird, Mayor

**ATTEST:**

  
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Emly Genetia, City Clerk

**APPROVED AS TO FORM:**

  
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Janean Parker, City Attorney

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