

**ORDINANCE NO. 533**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING TITLES 13, 14, 17, 19, 21, 22, AND 23 OF THE UNIVERSITY PLACE MUNICIPAL CODE TO PROVIDE AN INTERIM OFFICIAL CONTROL REGARDING PERMIT AND PERMIT APPLICATION EXTENSIONS**

**WHEREAS**, titles 13, 14, 17, 18, 19, 21, 22, and 23 of the University Place Municipal Code include provisions for the processing, issuance and expiration of permits and permit applications; and

**WHEREAS**, some but not all of the above referenced titles provide various provisions to extend permit applications and issued permits for cause; and

**WHEREAS**, following a peak in housing prices in 2005, housing prices have and continue to decline resulting in high default rates of sub-prime and adjustable rate mortgages; and

**WHEREAS**, the high mortgage default rate together with a stagnant credit market lead to the failure and merger of several large U.S. based financial institutions and a significant slowing of the national economy; and

**WHEREAS**, the slowing of the economy and downturn in new homes sales has limited the ability of developers and new home builders to obtain credit to build and/or sell their products; and

**WHEREAS**, the Master Builders Association of Pierce County on behalf of their members has requested regulatory relief in the form of the extension of land use and building permit applications and issued permits beyond those which are typically allowed while economic circumstances beyond their control remain; and

**WHEREAS**, the City Council of the City of University Place recognizes the need for permit and permit application extension in light of the current economic slow down; and

**WHEREAS**, the Revised Code of Washington 36.70A.390 allows the City to adopt interim official controls without holding a public hearing provided the City Council hold a Public Hearing on the interim official controls within 60 days of their adoption, after which the City Council must adopt a finding of fact justifying the action; and

**WHEREAS**, in accordance with SEPA Rules WAC197-11-800(20) Procedural Actions, ordinances relating solely to procedure and containing no substantive standards respecting use or modification of the environment shall be exempt; and

**WHEREAS**, the City Council has determined that time extensions for cause are consistent with the goals, objectives and policies of the comprehensive plan; and

**WHEREAS**, the City Council has determined that time extensions for permits and permit applications is in the best interest of the citizens and property owners of the City; **NOW THEREFORE**,

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

**SECTION 1. PERMIT AND PERMIT APPLICATION EXTENSIONS FOR CAUSE** – The Development Services Director is hereby authorized to extend permit and permit applications without fee for periods not to exceed 180 days upon written request. Said request shall demonstrate that circumstances

beyond the control of the applicant have prevented work on the permit application or work under an issued the permit. The current economic slowdown resulting in lax housing sales and unavailable credit may be cited as a circumstance beyond the applicant's control.

**SECTION 2. APPLICABILITY** – Section 1 above shall apply to and take precedence over University Place Municipal Code Title 13, Sections 13.05.520 (K) and 13.05.530 (I), Title 14, Section 14.05.040 (A) with regard to Sections 105.3.1 105.5 of the 2006 International Building Code, Title 17, Section 17.35.015 (D), Title 19, Sections 19.85.040 (Q), 19.90.050 (K) and 19.90.060 (F), Title 21, Section 21.15.020 (E), and Title 22, Sections 22.05.030 (B)(2), and 22.05.070 until such time as this ordinance is revoked or expires.

**SECTION 3. VESTING**—The Development Services Director shall not issue an extension under Section 1 if a Title of the Municipal Code has been amended affecting the property for which the permit was issued or the permit application pertains unless the applicant agrees in writing to abide by any applicable amended provisions.

**SECTION 4. EXPIRATION** – The authority granted by this interim official control shall expire on December 31, 2010 unless revoked or extended by amendment.

**SECTION 5. COPY TO BE AVAILABLE** One copy of this ordinance shall be available in the office of the City Clerk for use and examination by the public.

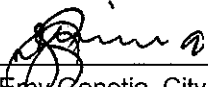
**SECTION 6. SEVERABILITY** If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

**SECTION 7. PUBLICATION AND EFFECTIVE DATE.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.

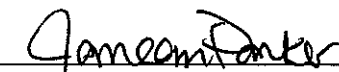
**PASSED BY THE CITY COUNCIL ON NOVEMBER 3, 2008.**

  
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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

Date of Publication: 11/05/08

Effective Date: 11/10/08