

ORDINANCE NO. 387

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, REGULATING THE HEIGHT OF BUILDINGS CONSTRUCTED WITHIN THE CITY, AMENDING THE DEFINITION OF AVERAGE FINISHED GRADE FOR STRUCTURES IN CHAPTER 19.10 OF THE UNIVERSITY PLACE MUNICIPAL CODE, AND ADDING A NEW SUBSECTION TO CHAPTER 19.45 OF THE CODE PROHIBITING THE PLACEMENT OF FILL AT A BUILDING SITE FOR THE PURPOSE OF RAISING THE GRADE LEVEL FROM WHICH BUILDING HEIGHT IS MEASURED

WHEREAS, the City Council of University Place has been considering ways to protect public and private views of the mountains and Puget Sound within the City; and

WHEREAS, the Planning Commission has held extensive discussions and considerations of ways to protect property values within the City and enhance and protect the community character by encouraging the preservation of mountain and Puget Sound views from within the City; and

WHEREAS, amending the definitions of Average Finished Grade and Height Standards for structures within the City's Zoning Code will help protect the public health safety and welfare and protect the investment based expectations of citizens by better defining how the heights of structures are actually measured for purposes of compliance with the Zoning Code and by prohibiting the adding of fill at a building site for the purpose of raising the grade level from which building height is measured; NOW, THEREFORE,

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

Section 1. Amending the Definition of Average Finished Grade in Section 19.10.030 of the University Place Municipal Code. The definition of Average Finished Grade in Section 19.10.030 of the University Place Municipal Code is hereby amended to read as follows:

~~"Grade - average finished" means the average elevation of the highest and lowest finished grades immediately adjacent to all sides of the structure, 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.~~

Section 2. Amending Section 19.45.050 of the University Place Municipal Code. Section 19.45.050 of the University Place Municipal Code is hereby amended to read as follows:

19.45.050 Height Standards.

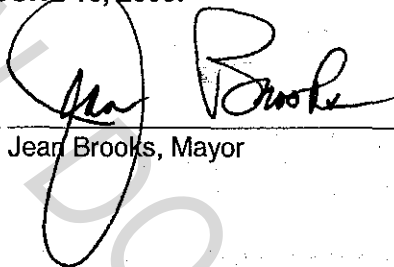
- A. No residential accessory structure shall exceed the height of the principal structure, except a barn located on a parcel exceeding five acres in size.
- B. Building lots shall not be modified by placement of fill for the purpose of raising the grade level from which building height is measured. Typical modifications necessary to allow development or redevelopment of a site shall be permitted, provided that the modifications are functionally necessary and represent the minimal intervention required to establish the use on the site. Typical modifications include but are not limited to: providing access to the structure, ensuring slope stability and/or facilitating on-site storm water management.
- C. ~~B~~ Exceptions. Height standards shall not apply to the following:

1. Church spires, belfries, domes, chimneys, antennas, satellite dishes, ventilation stacks, or similar structures; provided the structure is setback from all property lines a distance equal to the height of the structure.
2. Rooftop Mechanical Equipment. All rooftop mechanical equipment may extend 10 feet above the height limit of the zone; provided all equipment is setback 10 feet from the edge of the roof.
3. Personal wireless telecommunication antenna may project no more than 16 feet above the roofline including parapets. Equipment buildings mounted on a roof shall have a finish similar to the exterior building walls. Equipment for roof-mounted antenna may also be located within the building on which the antenna is mounted. Equipment buildings, antenna, and related equipment shall occupy no more than 25 percent of the total roof area of the building the facility is mounted on, which may vary in the city's sole discretion if co-location and an adequate screening structure is used.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

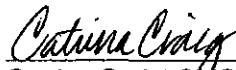
Section 4. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON JUNE 16, 2003.



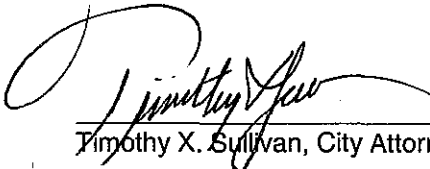
Jean Brooks, Mayor

ATTEST:



Catrina Craig, CMC, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Published: 6/19/03
Effective Date: 6/24/03