

RESOLUTION NO. 15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ADOPTING A MORATORIUM ON THE FILING OF APPLICATIONS WITH PIERCE COUNTY FOR PRELIMINARY SUBDIVISION APPROVAL AND SHORT PLAT APPROVAL PURSUANT TO RCW 35.02.137.

The City Council of the City of University Place hereby makes the following findings of fact:

1. The incorporation of the new city of University Place was overwhelmingly approved at an election held on November 8, 1995;

2. The City Council of the new city of University Place was duly elected on April 25, 1995 and sworn in on May 6, 1995;

3. One of the major concerns of residents of University Place leading to incorporation was the impact of land use decisions on the University Place community;

4. RCW 35.02.137 provides that during the interim period between the time the new City Council is sworn in and the date of incorporation, the new City Council may adopt resolutions establishing moratoria during the interim transition period on the filing of applications with the County for development permits or approvals, including but not limited to, subdivision approvals, short subdivision approvals, and building permits;

5. The authority granted by RCW 35.02.137 to adopt moratoria on applications for all subdivision approvals includes the authority to adopt moratoria on applications for certain types of subdivision approvals, if reasonably related to serving the public health, safety or welfare;

6. The University Place area has experienced and will continue to experience a significant level of growth and accompanying development;

7. If not managed properly, rapid growth may cause increased traffic problems, urban and suburban sprawl at inappropriate densities, damage to environmentally sensitive

areas, the mixing of incompatible uses, development which is not adequately served by public facilities and services, and other consequences at odds with the public interest;

8. To properly manage growth and prevent these harms from occurring, the people and the City Council of the new city of University Place intend to adopt thorough and well-considered comprehensive plans, zoning regulations and other land use controls as permanent measures;

9. If the current pace and nature of residential development continues during the period in which University Place is considering and adopting these permanent land use measures, the ability of the people of University Place to plan for and achieve the type of community they desire, consistent with all applicable law, will be jeopardized;

10. The principal regulatory approvals required for residential development are preliminary subdivision approval, short subdivision approval, or large lot approval;

11. The subdivisions which most severely jeopardize planning and regulatory options for the people of University Place are those with high residential densities and small lot sizes;

12. Subdivisions in which each lot is 10,000 square feet or greater do not significantly impair the ability of University Place to plan for its ultimate urban-level residential densities. Consequently, they and all large lot subdivisions should not be subject to a moratorium;

13. To preserve the City's ability to adopt reasonable and appropriate comprehensive plans and land use regulations, it is in the interest of the public health, safety and welfare to suspend temporarily the filing with Pierce County of applications for preliminary subdivision approval and short subdivision approval for subdivisions in which any lot is less than 10,000 square feet. This measure is necessary to preserve the City's ability to effectuate long-term planning decisions and to plan in a rational manner;

14. If the moratorium contained in this Resolution is not adopted, the filing of subdivision applications under County regulations is likely to frustrate effective long-term planning, result in the status quo not being preserved during consideration of the City's permanent regulations, and harm the City's ability to adopt its own permanent comprehensive plans and land use regulations. For the reasons set out in these Findings, these circumstances constitute an emergency;

15. Under WAC 197-11-880, the adoption of this Resolution

is exempt from the requirement of a threshold determination under the State Environmental Policy Act;

16. A public hearing on this Resolution was held before the City Council of University Place on June 7, 1995, at 7:30 p.m. pursuant to public notice.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:


Section 1. Pursuant to RCW 35.02.137, Pierce County shall not accept applications for preliminary subdivision approval or short subdivision approval for subdivisions within the city limits of the new city of University Place in which any lot is less than 10,000 square feet. For purposes of this Resolution, rights-of-way and fee ownerships for roads, streets and other common access shall not be included in calculating the size of lots.

Section 2. This Resolution shall not affect rights which have vested under the vested rights doctrine of the State of Washington.

Section 3. The Interim City Manager is directed to file immediately a certified copy of this Resolution with the Pierce County Council and County Executive.

Section 4. This Resolution is effective immediately and shall continue in effect until the date of incorporation of University Place.

ADOPTED by the City Council of the City of University Place at its meeting of June 7, 1995.


STANLEY L.K. FLEMING, MAYOR

Attest:


Susan Matthew,

INTERIM CITY CLERK PRO TEM

Approved as to form:

Shane R. Boyer

FILED WITH THE CITY CLERK:

ADOPTED BY THE CITY COUNCIL: June 7, 1995.

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