

RESOLUTION NO. 388

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, ADOPTING FINDINGS OF FACT IN SUPPORT OF ORDINANCE NO. 372**

WHEREAS, on February 18, 2003, by Ordinance No. 372 the City Council adopted an emergency ordinance pertaining to the construction of retaining walls outside of public rights of ways; and

WHEREAS, RCW 35A.63.220 requires the City to enter findings of fact in support of any interim zoning controls at a public meeting held within sixty days of the adoption of such an interim zoning control; and

WHEREAS, based on testimony taken at a public hearing held on April 7, 2003, the City Council wishes to enter the required findings of fact:

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

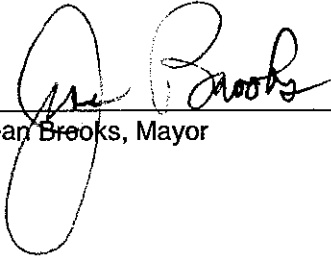
Section 1. Findings of Fact. The City Council of City of University Place hereby makes the following Findings of Fact in support of Ordinance No. 372:

1. Steep terrain within the areas of the City of University Place may necessitate the use of retaining walls for certain land use development projects.
2. Retaining walls can present particular dangers to public health and safety due to the nature of the materials used, the loading of materials on the retaining wall structure and seismic hazards.
3. Taller retaining walls generally present more potential public safety hazards than lower walls due to the weight of the materials used in the wall, the higher quantity of materials retained by the wall, an increased need for effective storm drainage, and a greater number of potential stress points than are found in shorter retaining walls.
4. The regulation of retaining walls is necessary to protect the public health, safety, and welfare.
5. The City's Public Works standards, at UPMC 13.15.510 provide standards for retaining wall construction associated with transportation in public rights of way and with private roads. These standards were not designed to address load bearing walls and other walls and conditions outside transportation corridors.
6. The Public Works standards are inadequate to address all necessary standards for retaining walls, particularly those associated with retaining walls built outside of rights of ways on private development.
7. Additional standards, including standards to regulate the height of retaining walls, are necessary to protect the public health, safety, and welfare.
8. Retaining walls are structures that fall within the definition of engineering practices in RCW 18.43 requiring special skills and knowledge for the correct design and application thereof.
9. A public hearing on this Resolution was held before the City Council of University Place on the evening of April 7, 2003, pursuant to public notice.

Section 2. The City Clerk is directed to immediately have a certified copy of this Resolution recorded with the Pierce County Auditor.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED BY THE CITY COUNCIL ON THIS 7TH DAY OF APRIL, 2003.



Jean Brooks, Mayor

Attest:



Catrina Craig, City Clerk

I, Catrina Craig, City Clerk of the City of University Place, Washington, do hereby certify: That I am City Clerk of the City of University Place, Pierce County, Washington; that the attached is a true and correct copy of Resolution No. 388, passed by the City Council on April 7, 2003.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City of University Place, this 23rd day of April, 2003.



Catrina Craig
**Catrina Craig, City Clerk
City of University Place**

OFFICIAL DOCUMENT