

RESOLUTION NO. 492

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, ADOPTING FINDINGS OF FACT IN SUPPORT OF ORDINANCE
NO. 446**

WHEREAS, on May 16, 2005, by Ordinance No. 446, the City Council adopted an emergency moratorium on the filing of, acceptance of and processing of certain building permits or other land use applications that would result in construction or expansion of any building or structure within the Town Center Zone containing motorist-oriented facilities, including drive-throughs, drive-ups and gas stations; and

WHEREAS, the moratorium under Ordinance No. 446 exempted permit applications pending on the effective date of Ordinance No. 446, that being May 16, 2005; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 require the City to set a public hearing within sixty days of the adoption of such a moratorium to take testimony and adopt written Findings of Fact justifying the moratorium; and

WHEREAS, based on the record and testimony taken at a public hearing held on July 11 2005, 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 the City of University Place hereby makes the following Findings of Fact in support of Ordinance No. 446:

A. The current zoning code prohibits new gas stations and drive-through facilities, but allows such existing facilities to remain and to be replaced in perpetuity.

B. The City's Comprehensive Plan goals and policies, as well as the Economic Development Strategic Action Plan, establish a vision and plan for a pedestrian-oriented Town Center Zone.

C. The City Council has directed the Planning Commission to evaluate the regulation of and design standards for gas stations, drive-throughs, drive-ups and other motorist-oriented facilities throughout the City and particularly within the Town Center Zone.

D. The Planning Commission is scheduled to hold further meetings to develop a recommendation in July and August.

E. The City needs time to fully consider the regulation of motorist-oriented uses and facilities within the Town Center Zone to more adequately protect the public health, safety and welfare, and to further the goals and policies of the City's comprehensive plan for a pedestrian-friendly town center.

F. Motorist-oriented facilities increase the potential for pedestrian-vehicle conflicts and may pose a safety hazard when coupled with pedestrian-oriented developments.


G. Further development or redevelopment of motorist-oriented facilities within the Town Center Zone may be inconsistent with pending or proposed zoning changes.

H. The City Council finds that it is urgent to enact a moratorium on an interim basis in order to maintain the status quo and to prevent the vesting of applications for motorist-oriented facilities within the Town Center Zone until such time as the Planning Commission and Council can consider more permanent regulations to govern such facilities to ensure a pedestrian-oriented town center.

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

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

ADOPTED BY THE CITY COUNCIL ON THE 11TH DAY OF JULY 2005.


Ken Grassi, Mayor

Attest:


Sarah Ortiz, CMC, City Clerk