

**ORDINANCE NO. 606**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING TITLE 16 OF THE UNIVERSITY PLACE MUNICIPAL CODE, COMPREHENSIVE PLAN AMENDING THE COMPREHENSIVE PLAN MAP TO CHANGE THE MAP DESIGNATIONS OF PARCELS 4915000010 AND 4915000020 FROM MIXED USE-OFFICE TO TOWN CENTER.**

WHEREAS, on July 6, 1998 the City of University Place adopted its Comprehensive Plan, in compliance with Chapter 36.70A RCW of the State of Washington Growth Management Act, with numerous and varied opportunities for public involvement; and,

WHEREAS, RCW 36.70A.130 requires the Comprehensive Plan be subject to continuing review and evaluation and if necessary revision to insure the Plan continues to comply with the Growth Management Act; and

WHEREAS, on January 18, 2011 the City Council adopted Resolution 669 establishing a public participation program in accordance with RCW 36.70A.035 and 140 which provided; time for citizens, property owners and others to request plan and map amendments; for numerous public notices; and an opportunities for the public to participate in the process; and,

WHEREAS, on February 24, 2011 the City published notice in the Tacoma News Tribune announcing the City's intent to amend the Comprehensive Plan and inviting the submittal of applications for Comprehensive Plan amendments, and

WHEREAS, on July 1, 2011 Gary Pettingill submitted an application for a Comprehensive Plan Map Amendment requesting the designation of parcels 4915000010 and 4915000020 located at 4221 Bridgeport be changed from Mixed Use-Office to Mixed Use to allow a drive-through coffee shop in an existing bank/office building; and,

WHEREAS, Notice of Application describing the requested amendment was mailed to property owners within 300 feet and at least two properties deep on July 27, 2011; and,

WHEREAS, the City Council created and appointed the Planning Commission to advise the City Council on growth management and land use planning, and to hold hearings on and develop a Comprehensive Plan for the City and make recommendations to the City Council on amendments to the Comprehensive Plan, the Zoning Code and Map, and the development regulations of the City, and

WHEREAS, on August 3, 2011 and September 7, 2011 the Planning Commission held public meetings during which the Comprehensive Plan map amendment request was studied; and

WHEREAS, a Public Notification Sign was posted at 4221 Bridgeport Way on September 17, 2011 advertising an upcoming Public Hearing before the Planning Commission; and,

WHEREAS, a Notice of Public Hearing was mailed to property owners within 300 feet and at least two properties deep on September 23, 2011 and a Notice of Public Hearing was published in the Tacoma News Tribune on September 26, 2011; and,

WHEREAS, on October 5, 2011 the Planning Commission held a Public Hearing after which the Planning Commission voted to recommend approval of the request to the City Council by a vote of 4 in favor and 2 opposed; and,

WHEREAS, On October 19, 2011 the City Council held a Study Session to review the proposed Comprehensive Plan Map Amendment and directed that it be brought back for consideration; and,

WHEREAS, a SEPA Determination of Non-Significance (DNS) was issued on October 28, 2011 and Notice of the SEPA Determination was published in the Tacoma News Tribune on November 1, 2011; and

WHEREAS, the required State Agency 60-day review period on the Comprehensive Plan Map Amendment began on November 1, 2011 and concluded on December 27, 2011, with one comment from the Department of Ecology; and,

WHEREAS, the proposed Comprehensive Plan amendments are consistent with the City's Comprehensive Plan, Pierce County Countywide Planning Policies, VISION 2040 and the Growth Management Act; and,

WHEREAS, on April 21, 2012 the City Council determined that amending the City of University Place Comprehensive Plan Map designation of parcels 4915000010 and 4915000020 from Mixed Use -Office to Town Center as opposed to Mixed Use would allow the proposed use and better serve the public interest;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. University Place Comprehensive Plan Land Use Plan Map Amended. The University Place Comprehensive Plan Land Use "Plan Map", adopted by reference pursuant to UPMC Section 16.05.020, is hereby amended as shown on Exhibit "A" attached.

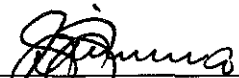
Section 2. Severability. If any section, sentence, clause or phrase of this Title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Title.

Section 3. 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 FEBRUARY 21, 2012.**

  
\_\_\_\_\_  
Ken Grassi, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Emy Genetia, City Clerk

**APPROVED AS TO FORM:**

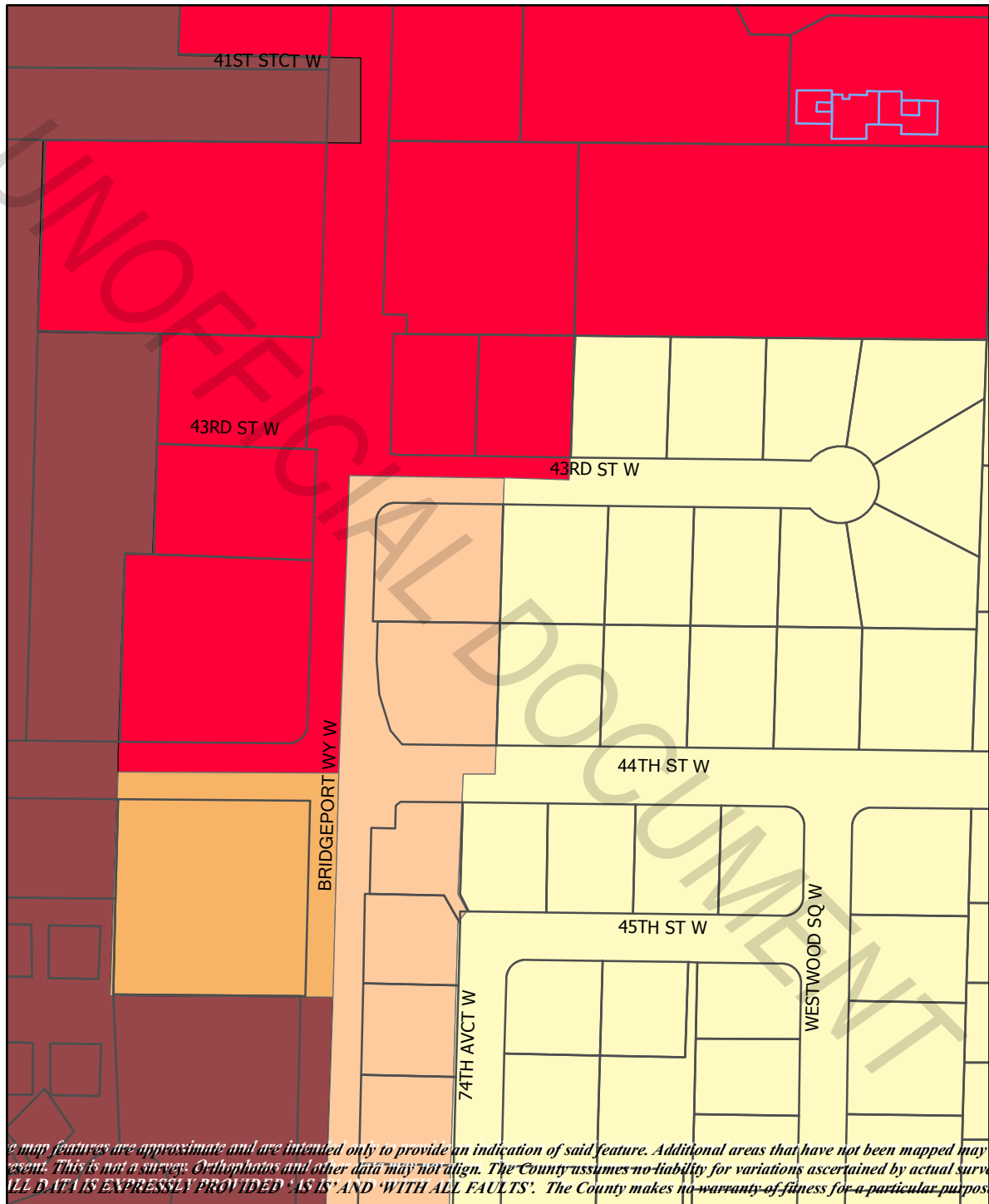
  
\_\_\_\_\_  
Steve Victor, City Attorney

Date of Publication: 02/23/12  
Effective Date: 02/28/12

# EXHIBIT A

## Pettingill







### Comprehensive Plan Map Amendment



*The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.*

Planning and Development Services  
July 27, 2011

### Legend

- |  |  |
|--|--|
|  Tax Parcel     |  Mixed Use-Office |
|  R1 Residential |  Mixed Use        |
|  Multi-Family   |  Town Center      |

