6:30 pm 1. CALL REGULAR MEETING TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE – Councilmember McCluskey

4. APPROVAL OF MINUTES – October 2, 2017

5. APPROVAL OF AGENDA

6:35 pm 6. PRESENTATION
   • Legislative Update – 28th Legislative District
     Senator Steve O’Ban, Representative Richard Muri, & Representative Christine Kilduff

6:55 pm 7. PUBLIC COMMENTS – (At this time, citizens have three minutes to address the Council on any matter not scheduled for Public Hearing or Council Consideration. State law prohibits the use of this forum to promote or oppose any candidate for public office or ballot measure. Public comments are limited to three minutes. Please provide your name and address for the record.)

7:00 pm 8A- 8B. CONSENT AGENDA
   Motion: Approve or Amend the Consent Agenda as Proposed

   A. Receive and File: Payroll and Claims.
   B. Pass an ordinance amending Chapter 1.35 UPMC (Legislative Advisory Commissions) relating to the scope of commissions’ authority.

COUNCIL CONSIDERATION – (The following item(s) will require Council action.)

7:05 pm 9. CLICK! NETWORK FRANCHISE AGREEMENT
   • Staff Report
   • Public Comment
   • Council Consideration

RECESS TO STUDY SESSION – (At this time, Council will have the opportunity to study and discuss business issues with staff prior to its consideration. Citizen comment is not taken at this time; however, citizens will have the opportunity to comment on the following item(s) at future Council meetings.)

7:15 pm 10. ONE PERCENT PROPERTY TAX
   (FIRST STUDY FOR PASSAGE OF AN ORDINANCE)

7:25 pm 11. MID-BIENNIAL BUDGET ADJUSTMENT
   (FIRST STUDY FOR PASSAGE OF AN ORDINANCE)

7:55 pm 12. REGIONAL GROWTH CENTER SUBAREA PLAN
   (FIRST STUDY FOR PASSAGE OF AN ORDINANCE)
13. **REGIONAL GROWTH CENTERS DRAFT FRAMEWORK PROPOSAL**  
(FIRST STUDY FOR PASSAGE OF A RESOLUTION)

9:00 pm

14. **ADJOURNMENT**
1. CALL REGULAR MEETING TO ORDER

Mayor Figueroa called the Regular Meeting to order at 6:30 p.m.

2. ROLL CALL

Roll call was taken by the City Clerk as follows:

<table>
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<th>Present</th>
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<tr>
<td>Councilmember Belleci</td>
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<td>Councilmember Grassi</td>
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<td>Councilmember Nye</td>
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<tr>
<td>Councilmember Worthington</td>
<td>Present</td>
</tr>
<tr>
<td>Mayor Pro Tem Keel</td>
<td>Present</td>
</tr>
<tr>
<td>Mayor Figueroa</td>
<td>Present</td>
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Staff Present: City Manager Sugg, City Attorney Kaser, Executive Director/ACM Craig, Police Chief Blair, Public Safety Administrator Hales, Human Resources Manager Petorak, Principal Planner Briske, Finance Director Blaisdell, Communications/I.T. Manager Seesz, and City Clerk Genetia.

MOTION: By Councilmember Grassi, seconded by Councilmember McCluskey, to excuse the absence of Councilmember Nye.

The motion carried.

3. PLEDGE OF ALLEGIANCE

Mayor Figueroa led Council in the Pledge of Allegiance.

4. APPROVAL OF MINUTES

MOTION: By Councilmember Belleci, seconded by Councilmember McCluskey, to approve the minutes of September 18, 2017 as submitted.

The motion carried.

5. APPROVAL OF AGENDA

MOTION: By Councilmember Belleci, seconded by Councilmember McCluskey, to approve the agenda.

The motion carried.

6. PRESENTATIONS

Charles Wright Academy – Matt Culberson, Head of School of Charles Wright Academy presented an overview of the school’s academic history, educational mission and core values.
Certificate of Recognition - Mayor Figueroa presented Mr. Culberson with a Certificate of Recognition in celebration of Charles Wright Academy’s 60th anniversary.

7. PUBLIC COMMENTS – The following individuals provided comment: David Harrowe, 4616 79th Avenue Court West; and Jill Peters, 7621 27th Street West.

8. CONSENT AGENDA

MOTION: By Mayor Pro Tem Keel, seconded by Councilmember Belleci, to approve the Consent Agenda as follows:

A. Receive and File: Payroll for the period ending 09/15/17, dated 09/20/17, in the total amount of Two Hundred Twenty-Three Thousand Six Hundred Five and 21/100 Dollars ($223,605.21); Claims dated 09/29/17, check nos. 51980352 through 51980433, wire transfers 289515 and 21497920, in the total amount of One Million Four Hundred Eight-Five Thousand One Hundred Eight and 97/100 Dollars ($1,485,108.97); and Claims dated 09/29/17, check nos. 51980434 through 51980443, in the total amount of Nine Thousand Four Hundred Seventy-Three and 84/00 ($9,473.84).

B. Authorize the City Manager to execute a contract amendment with The Haddow Group, LLC to increase the contract amount not to exceed $50,000.00 to provide building inspector services.

The motion carried.

9. CITY MANAGER AND COUNCIL COMMENTS/REPORTS

City Manager Sugg informed the Council of upcoming City and community events.

Mayor Figueroa recognized Mayor Pro Tem Keel for successfully completing the Association of Washington Cities’ (AWC) Certificate of Municipal Leadership and Advanced Certificate of Municipal Leadership training program.

Councilmember Belleci reported on the status of Puget Sound Regional Council’s draft legislation on the Regional Framework Update. She requested that a study session be scheduled at the end of October so that Council can review the proposed changes to the draft legislation and provide direction to staff.

Mayor Pro Tem Keel updated Council on a number of statewide initiatives that the Association of Washington Cities are working on.

STUDY SESSION

10. CLICK! NETWORK FRANCHISE AGREEMENT

Communications/I.T. Manager Seesz provided an overview on the proposed 10-year franchise agreement with Click! Network. She highlighted the key provisions of the proposed franchise as well as the negotiated changes made to the agreement.

Questions were raised with regard to the objectives of the franchise, maximum term of the franchise, outlet appropriation, complaint history log, and audit.

Staff was directed to bring forth an ordinance granting the extension of the franchise agreement for consideration under the consent agenda at the next scheduled Council meeting, along with information on the maximum amount of time associated with the franchise term and the log of complaints.

11. LEGISLATIVE PROPOSAL: AMENDMENTS TO THE LEGISLATIVE ADVISORY COMMISSION ORDINANCE

City Attorney Kaser presented a legislative proposal submitted by Mayor Figueroa and Mayor Pro Tem Keel as a follow-up to the September 18, 2017 joint meeting with the City Commissions. One of the issues that
were raised during the discussion was related to the scope of delegated authority. The legislative proposal offers to amend Ordinance No. 692 to broaden the authority of the City Commissions to undertake tasks on matters pending before them.

Discussion followed, after which, language amendments were proposed to further clarify/define intent and scope of the delegated authority. Staff was directed to bring forth an ordinance reflecting these changes for Council consideration.

12. ADJOURNMENT

The meeting adjourned at 7:57 p.m. No other action was taken.

Submitted by,

Emy Genetia
City Clerk
1. CALL SPECIAL MEETING TO ORDER

Mayor Figueroa called the Special Meeting to order at 5:43 p.m.

Attendance was noted as follows:

- Councilmember Belleci Present
- Councilmember Grassi Present (Arrived 5:44 p.m.)
- Councilmember McCluskey Present
- Councilmember Nye Excused
- Councilmember Worthington Present
- Mayor Pro Tem Keel Present (Arrived 5:58 p.m.)
- Mayor Figueroa Present

Staff Present: City Manager Sugg, City Attorney Kaser, Police Chief Blair, Public Safety Administrator Hales, Human Resources Manager Petorak and City Clerk Genetia.

2. EMERGENCY MANAGEMENT POLICY TRAINING

The City Council members participated in the Incident Command System (ICS-402) policy overview training for executives/senior officials conducted by Kyle Bustad of Pierce County Emergency Management.

3. ADJOURNMENT

The meeting adjourned at 6:25 p.m. No other action was taken.

Submitted by,

Emy Genetia
City Clerk
APPROVAL OF CONSENT AGENDA
City of University Place  
Voucher Approval Document

**Control No.:** 5  
**Agenda of:** 10/16/17  
**PREPAY**

**Claim of:** Payroll for Pay Period Ending 09/31/17

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**BENEFIT/DEDUCTION AMOUNT**  168,927.61

**TOTAL AMOUNT**  281,654.69

Preparer Certification:
I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the above-named governmental unit, and that I am authorized to authenticate and certify to said claim.

Signed: (Signature on file.)  
Date

Steve Sugg, City Manager
Check Date: 10/13/2017

Check Range: 51980444-51980494 Wire Transfer: 21681595

Claims Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of University Place, and that I am authorized to authenticate and certify to said claim.

I also certify that the following list of checks were issued to replace previously issued checks that have not been presented to the bank for payment. The original check was voided and a replacement check issued.

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Sub total for BANK OF AMERICA: 155,889.24
49 checks in this report.

Grand Total All Checks: 155,889.24
Check Date: 09/29/2017 – Mini Check Run

Check Range: 51980434-51980443

Wire Transfer:

Claims Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of University Place, and that I am authorized to authenticate and certify to said claim.

I also certify that the following list of checks were issued to replace previously issued checks that have not been presented to the bank for payment. The original check was voided and a replacement check issued.

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Sub total for BANK OF AMERICA: 9,473.84
10 checks in this report.

Grand Total All Checks: 9,473.84
SUMMARY / POLICY ISSUES

In July 2017, the City Council passed a comprehensive ordinance addressing the role and scope of legislative policy advisory commissions. Following passage, Council held a joint meeting with the Commissions. One result of that joint meeting was a Legislative Proposal to broaden the authority of City Commissions to undertake those acts reasonably necessary to effectuate the direction given to them by Council, without having to unnecessarily return to Council.

The attached Ordinance mirrors the language set forth in the Legislative Proposal discussed at the October 2, 2017 Study Session. It also incorporates those comments made by the Council at the Study Session.

RECOMMENDATION / MOTION

MOVE TO: Pass an ordinance amending Chapter 1.35 UPMC (Legislative Advisory Commissions) relating to the scope of commissions’ authority.
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, AMENDING SECTION 1.35.050 OF THE MUNICIPAL CODE
RELATING TO THE SCOPE OF COMMISSIONS’ AUTHORITY

WHEREAS, the City Council passed Ordinance No. 692 on September 18, 2017 which added a
new section 1.35 to the Municipal Code entitled “Legislative Policy Advisory Commissions;” and

WHEREAS, the City Council desires to amend this new Ordinance in order to allow a commission
to engage in those acts reasonably necessary to effectuate the intent of the resolution without broadening
the scope;

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

Section 1. Code Amendment. Section 1.35.050 of the University Place Municipal Code, entitled
“Legislative Policy Advisory Commissions,” is hereby amended to read as follows:

A. All work of legislative policy advisory commissions will be assigned by, or approved by, at least a
majority of the City Council by written resolution before City resources (administrative staff work or
public funds) are utilized. Council resolutions assigning, or approving, legislative advisory commission
work will provide commissions with clear tasks and direction, and may establish any appropriate
processes and procedures for the work.

B. Unless the resolution or the law provides otherwise, a resolution assigning or approving legislative
advisory commission work, authorizes the commission to seek public opinion, review, provide
recommendations, form ad hoc subcommittees, meet jointly with other City legislative policy advisory
commissions and authorizes the commission reasonable means to carry the resolution into effect which
may appear most conformable to the spirit of the resolution.

Section 2. Effective Date. A summary of this Ordinance consisting of its title shall be published in
the official newspaper of the City. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON ____________________________.

Javier H. Figueroa, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Date of Publication: 
Effective Date:
COUNCIL CONSIDERATION
SUMMARY / POLICY ISSUES

Since 2003 the City of University Place has had a cable TV franchise agreement with Click! Network, beginning with a 10-year agreement that was followed by a two-year extension. The agreement and its extension granted Click! a franchise to construct, maintain and provide cable television services within the City of University Place per its terms.

Staff entered into negotiation for a new franchise agreement in 2016. The terms of the resulting proposed franchise agreement are largely the same as the previous agreement, similar to the agreements of other local jurisdictions, and contain the following notable key provisions and changes:

- Click! Network will continue to pay five (5) percent of gross revenues in franchise fees to the City
- Click! Network will continue to pay 50 cents ($0.50) per subscriber per month to support the capital equipment needs of the City’s Public, Education and Government (PEG) channel, UPTV
- Click! Network will also hold channel 512 for high definition implementation of UPTV; both channels will be available only in University Place
- The educational access channels noted in the earlier franchise have been removed, due to lack of interest and increasing shortage of channels
- Click! Network will continue to provide PEG access channels to subscribers as a part of their basic service

The proposed draft of the City’s cable franchise agreement with Click! Network, was studied at the October 2 Council meeting. Following that Study Session, in response to City Council questions, Staff followed up with Click! for a customer complaints report. Click! shared the following response, identifying both general and three specific complaints. Click! shared the following general grouping of complaints:

“The majority of complaints received by Click! staff fall into billing and service categories. All complaints about cable TV received between 2012 and 2017 from customers living in University Place were handled satisfactorily through the normal course of business. Customers calling about non-pay disconnection notices often are counseled and a payment plan established. Customers calling to complain about an installation issue are handled by field supervisors. Specific complaints are either resolved by a service credit or repairs made to the customer’s satisfaction.”
It also shared three specific complaints:

- In January 2014 a customer disputed the final billing on her disconnected cable TV account and was provided a detailed explanation about the charges. The complaint was resolved to the customer’s satisfaction and the final balance due was paid.
- In February 2014 a customer complained about accrued charges for a set-top box belonging to Click! The customer’s complaint was investigated and validated and a credit applied to her account, as she requested.
- In January 2017 there was one damage claim from a resident of University Place that occurred when a control cable to the sewer pump was cut by Click! during installation. The damages totaled $1,146.40 and that amount was paid to the claimant on 3/7/17.

The City Council also asked about franchise duration. There is no legal requirement regarding the length of a franchise; historically, length is governed by practical considerations amongst the parties. However, in our discussions with Click! they have advised us that they would have no objection to a varying term of franchise. One suggestion that they have offered is the following:

“Absent six months’ written notice of a desire to prevent renewal by either party to the other, the franchise agreement shall automatically renew, in the same form and under the same terms and conditions existing on the expiration date for an additional five-year term. There may be up to two (2) such renewals, not to exceed a total, between the original term and extensions, of twenty (20) years.”

Click! has also shared that the City may “modify in terms of number of years duration of renewal and number of renewals.” However, if Council desired to amend the duration, Staff’s recommendation is that the above-quoted language best balances the various competing concerns associated with a franchise of this nature.

The language relative to the term in the proposed franchise is the same as the version shared at the Study Session and omits this language. If Council desired to amend the franchise, the above-quoted language would appear at paragraph 2.3 of the proposed franchise, with a companion change to the first paragraph of the first page of the franchise to match the term.

One additional issue raised by Click! after the Study Session relates the details of the activation of return lines. Owing to technical details associated with these return lines, Paragraph 9.8 (Return Lines) has been amended.

The version which was before the Council at Study Session read as follows:

(A) Grantee shall, at its expense, activate within one hundred eighty (180) days after acceptance of this Franchise, a fiber optic Return Line capable of two-way transmission to enable the distribution of Access programming to Subscribers on the Access Channels from Pierce County Television (PCTV) located at the Bates/Central Mohler Campus to the Click! Network.

The new language reads:

(A) Grantee shall, at its expense, upon written request of the grantor, activate a fiber optic Return Line capable of two-way transmission to enable the distribution of Access programming to Subscribers on the Access Channels from Pierce County Television (PCTV) located at the Bates/Central Mohler Campus to the Click! Network.

(Underlined emphasis added.)

RECOMMENDATION / MOTION

MOVE TO: Pass an ordinance granting a franchise to City of Tacoma Department of Public Utilities, Light Division dba Click! Network, according to the terms of the agreement negotiated by and between the City and the franchise grantee.
ORDINANCE NO. ____


WHEREAS, pursuant to the authority vested in the City by Section 35A.47.040, the City is empowered to grant franchises to regulate the use of public rights-of-way; and

WHEREAS, in accordance; therewith, the City has negotiated an agreement for such franchise with Click! Network;

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

Section 1. That the City of Tacoma Department of Public Utilities, Light Division dba Click! Network Franchise Agreement attached hereto is hereby granted.

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

PASSED BY THE CITY COUNCIL ON ____________.

Javier H. Figueroa, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Published: Effective Date:
CABLE TV FRANCHISE AGREEMENT
BETWEEN THE

City of University Place
&
City of Tacoma

Department of Public Utilities, Light Division
Click! Network
CABLE TELEVISION FRANCHISE

This Cable Television Ten-Year Nonexclusive Franchise is entered into in University Place, Washington, this _____ day of ______________, 2017, by and between the City of Tacoma, Department of Public Utilities Light Division, providing cable TV services as CLICK! NETWORK, hereinafter (“Grantee”) and the CITY OF UNIVERSITY PLACE, WASHINGTON, a municipal corporation, hereinafter (“Grantor” or the “City”). Grantor and Grantee are sometimes referred to hereinafter collectively as the "parties."

WHEREAS, the Grantor is authorized by federal and State law to grant one or more nonexclusive franchises to construct, operate and maintain a cable television system within the boundaries of the Grantor.

WHEREAS, the Grantee has provided cable television services, and government access channels within the Grantor’s city limits since 2003, and Grantor, after all necessary process and consideration, has found sufficient the financial, technical and legal qualifications of Grantee to continue provide cable television service within the City; and

WHEREAS, the Grantee is willing to accept this Agreement subject to the terms and conditions contained herein, and to abide by those terms and conditions; and

NOW, THEREFORE, in consideration of the mutual promises made herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Grantor and Grantee do hereby agree as follows:
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SECTION 1. DEFINITIONS

For the purposes of this Franchise and all exhibits attached hereto the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning. The word "shall" is always mandatory and not merely directory.

"Access"
means the availability for Noncommercial use by various governmental and educational agencies, including Grantor and its designees, of particular channels on the System to receive and distribute Video Programming to Subscribers, as permitted under applicable law, including, but not limited to:

(A) "Educational Access" means Access where Schools are the primary users having editorial control over programming and services, and

(B) "Governmental Access" means Access where governmental institutions or their designees are the primary users having editorial control over programming and services.

"Access Center"
means a facility or facilities where signals are managed and delivered to the Grantee for Downstream transmission to Subscribers or to other Access Centers via a dedicated connection.

"Access Channel"
means any Channel, or portion thereof, designated for Noncommercial Access purposes or otherwise made available to facilitate or transmit Access programming.

“Access Fees”
means the Capital Fee paid to the Grantor by the Grantee in accordance with Section 9 below.

"Activation" or "Activated"
means the status of any capacity on or part of the System wherein the use of that capacity or part thereof may be made available without further installation of system equipment other than Subscriber premise equipment, whether hardware or software.

"Affiliated Entity" or "Affiliate,"
means when used in connection with Grantee any municipal or other corporation, Person who owns or controls, is owned or controlled by, or is under common ownership or control with, Grantee and its successor corporations.

"Bad Debt"
means amounts lawfully owed by a Subscriber and accrued as revenues on the books of Grantee, but not collected after reasonable efforts by Grantee.
"Basic Service"
means the Cable Service tier which includes, at a minimum, the retransmission of local television Broadcast Signals and Access programming.

"Broadcast Signal"
means a television or radio signal transmitted over the air to a wide geographic audience, and received by a System off-the-air by antenna, microwave, satellite dishes or any other means.

“Buildout”
means the Cable System is constructed and capable of offering Cable Service to all residents and businesses passed by public rights-of-way within the Franchise Area.

"Cable Acts"

"Cable Operator"
means any Person or groups of Persons, including Grantee, who provides Cable Service over a System and directly or through one or more Affiliates owns a significant interest in such System or who otherwise control(s) or is(are) responsible for, through any arrangement, the management and operation of such a System.

"Cable Service"
means the one-way transmission to Subscribers of Video Programming, or other Programming service and Subscriber interaction, if any, which is required for the selection or use of such Video Programming or other Programming service.

"Channel"
means a portion of the frequency band capable of carrying a Video Programming, whether by analog or digital signal, on a twenty-four (24) hour per day basis or a portion thereof.

"City” or “Grantor"
means the City of University Place, Washington, a municipal corporation, of the State of Washington.

"Connection,"
with regard to connections to public buildings, means installation of fiber optic or coaxial cable or other System related facilities through the outer wall of the building.

"Designated Access Provider"
means the entity or entities designated by the Grantor to manage or co-manage Educational or Governmental Access Channels and facilities. The Grantor may be a Designated Access Provider.

“Designated Distributor” means any entity authorized by Grantor to distribute Access Programming including, but not limited to, the RCC or the RMC.
"Downstream Channel"
means a Channel capable of carrying a transmission from the Headend to remote points on the System or to interconnection points on the System.

"Dwelling Unit"
means any residential building, or each portion thereof.

"Expanded Basic Service"
means cable programming services not included in the Basic Service and excluding digital gateway programming, digital tier programming, premium or pay-per-view services.

"FCC"
means the Federal Communications Commission or its lawful successor.

"Fiber Optic"
means a transmission medium of optical fiber cable, along with all associated electronics and equipment capable of carrying Cable Service or Institutional Network Service by means of electric lightwave pulses.

"Franchise"
means the document in which this definition appears, which is executed between Grantor and Grantee, containing the specific provisions of the authorization granted and the contractual and regulatory agreement created hereby.

"Franchise Area"
means the area within the jurisdictional boundaries of the Grantor, including any areas annexed by Grantor during the term of this Franchise.

“Franchise Fee” means

1. “franchise fee” includes any tax, fee, or assessment of any kind imposed by a franchising authority or other governmental entity on a cable operator or cable subscriber, or both, solely because of their status as such;

2. the term “franchise fee” does not include—

   A. any tax, fee, or assessment of general applicability (including any such tax, fee, or assessment imposed on both utilities and cable operators or their services but not including a tax, fee, or assessment which is unduly discriminatory against cable operators or cable subscribers);
   B. in the case of any franchise in effect on October 30, 1984, payments which are required by the franchise to be made by the cable operator during the term of such franchise for, or in support of the use of, public, educational, or governmental access facilities;
   C. in the case of any franchise granted after October 30, 1984, capital costs which are required by the franchise to be incurred by the cable operator for public, educational, or governmental access facilities;
D. requirements or charges incidental to the awarding or enforcing of the franchise, including payments for bonds, security funds, letters of credit, insurance, indemnification, penalties, or liquidated damages; or

"Gross Revenues"

means any and all revenue derived directly or indirectly by the Grantee, or by any other entity that is a Cable Operator of the Cable System including Grantee’s Affiliates, from the operation of Grantee's Cable System to provide Cable Services in the Franchise Area. Gross Revenues include, by way of illustration and not limitation, monthly fees charged Subscribers for Cable Services including Basic Service, any expanded tiers of Cable Service, optional Premium Services; installation, disconnection, reconnection and change-in-service fees, Leased Access Channel fees, all Cable Service lease payments from the Cable System, late fees and administrative fees, payments or other consideration received by the Grantee from programmers for carriage of programming on the Cable System and accounted for as revenue under GAAP; revenues from rentals or sales of converters or other Cable System video service equipment; advertising sales revenues; the fair market value of consideration received by the Grantee for use of the Cable System to provide Cable Service and accounted for as revenue under GAAP; revenues from program guides, additional outlet fees, Franchise Fees, revenue from interactive services to the extent they are considered Cable Services under federal law, revenue from the sale or carriage of other Cable Services, and revenues from home shopping, and other video service revenue-sharing arrangements. Gross Revenues shall include revenue received by any entity other than the Grantee where necessary to prevent evasion or avoidance of the obligation under this Franchise to pay the Franchise Fees. Gross Revenues shall not include (i) to the extent consistent with GAAP, Bad Debt, provided, however, that all or part of any such Bad Debt that is written off but subsequently collected shall be included in Gross Revenues in the period collected; (ii) the Capital Fee specified in subsection 9.1; (iii) any taxes on services furnished by the Grantee which are imposed directly on any Subscriber or user by the State, City or other governmental unit and which are collected by the Grantee on behalf of said governmental unit; (iv) Revenues from the sale of Cable Services on the Cable System to a reseller, when the reseller pays the cable Franchise Fees on the resale of the Cable Services; (v) revenue from the sale of capital assets or surplus equipment not used by the purchaser to receive video service from the seller of those assets or surplus; (vi) charges, other than those described hereinabove, that are aggregated or bundled with amounts described hereinabove for video services and billed to video service subscribers, including but not limited to any revenues received by grantee or its affiliates for telecommunications services or information services, if grantee can reasonably identify such charges on books and records kept in the regular course of business.

The parties intend for the definition of Gross Revenues to be as inclusive as possible consistent with existing applicable law. If there is a change in federal law subsequent to the effective date of this Franchise, such change shall not impact this Gross Revenues definition unless the change specifically preempts the affected portion of the definition above.
"Headend" or "Hub"
means any Facility for signal reception and dissemination on a System, including cable, antennas, wires, satellite dishes, monitors, switchers, modulators, processors for Broadcast Signals or other signals, equipment for the interconnection of the System with adjacent Systems and interconnection of any networks which are part of the System, and all other related equipment and Facilities.

"Institutional Network" or "I-Net"
means an independent telecommunications network, which may or may not be, owned and operated by the City or that part of the System facilities or capacity that may be designed for use by non-residential Subscribers including communications to, from and among government agencies, schools, libraries and other public agencies.

"Leased Access Channel"

“Noncommercial”
means, in the context of Access Channels, that particular products and services are not promoted or sold. This term shall not be interpreted to prohibit an Access Channel operator or programmer from soliciting and receiving financial support to produce and transmit video programming on an Access Channel, or from acknowledging a contribution, in the manner of the Corporation for Public Broadcasting.

“Normal Business Hours”
means those hours during which most similar businesses in the community are open to serve customers.

“Normal Operating Conditions”
means those service conditions which are within the control of the Grantee. Those conditions which are not within the control of the Grantee include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the Grantee include, but are not limited to, special promotions, rate increases, and maintenance or upgrade of the System.

"Pay Service" or "Premium Service"
means Video Programming or other programming service choices (such as movie channels or pay-per-view programs) offered to Subscribers on a per-channel, per-program or per-event basis.

"Person"
means any natural person, sole proprietorship, partnership, joint venture, association, or limited liability entity or corporation, or any other form of entity or organization.
“Programming” means a communication, whether in the form of voice, video or data, or some combination thereof, and any signals associated with the transmission of that communication to its intended recipient.

“RCC”
Rainier Communications Commission, established as an interlocal governmental cooperative, pursuant to the Interlocal Cooperation Act, RCW 39.34, et. seq., and the general laws of the State of Washington, its lawful successor, or, if none, that other consortium or interlocal agreement formed by Grantor and any other municipal corporations that is designed to cooperate on telecommunications and cable television services.

“RMC”
means the educational and governmental Access Center known as the Rainier Media Center which is operated by the RCC or its lawful successor, or if none, that consortium formed by Grantor and other political subdivisions and any other municipal corporations that is designed to cooperate on Educational and Government Access services.

“Rights-of-Way”
means land acquired or dedicated for public streets or roads, highways, avenues, lanes, alleys, bridges, sidewalks, “utility” easements and similar public property located within the Franchise area.

"School"
means any accredited educational institution including, for example, primary and secondary schools (K-12), colleges and universities and excluding home schools and residential facilities.

“Service Interruption”
means the loss of picture or sound on one or more cable channels.

“Standard Installation” means installation of fiber or coaxial cable or other System equipment to an exterior wall of a residential or commercial structure which is no more than 125 feet from the existing System distribution facilities.

"State"
means the State of Washington.

"Street"
means Rights-of-Way.

"Subscriber"
means any Person who lawfully receives Cable Services provided by Grantee by means of the System with Grantee’s express permission.

"System" or “Cable System”
means a facility, consisting of a set of closed transmission paths and associated signal generation, reception and control equipment that is designed to provide Cable Service which includes video
programming and which is provided to multiple Subscribers within a community, but such term does not include (1) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (2) a facility that serves Subscribers without using any public right-of-way; (3) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the federal Communications Act (47 U.S.C. § 201 et seq.), except that such facility shall be considered a Cable System (other than for purposes of Section 621(c) (47 U.S.C. § 541(c)) to the extent such facility is used in the transmission of video programming directly to Subscribers, unless the extent of such use is solely to provide interactive on-demand services; (4) an open video system that complies with federal statutes; or (5) any facilities of any electric utility used solely for operating its electric utility systems. When used herein, the term “Cable System” or “System” shall mean Grantee’s Cable System in the Franchise Area.

"Tier"
means a category of Cable Services provided by the Grantee for which a separate rate is charged.

“Upstream Channel”
means a Channel capable of carrying a transmission to the Headend from remote points on the System.

“Video Programming”
means programming provided by, or generally considered comparable to programming provided by, a television broadcast station.

SECTION 2. GRANT OF FRANCHISE

2.1 Grant

(A) Grantor hereby grants to Grantee a ten-year nonexclusive and revocable authorization to make reasonable and lawful use of the Streets within the Franchise Area to construct, operate, maintain, reconstruct, and upgrade a System for the purpose of providing Cable Services, subject to the terms and conditions set forth in this Franchise. This Franchise shall constitute both a right and an obligation to provide the Cable Services required by, and to fulfill the obligations set forth in, the provisions of this Franchise.

(B) The Grantee, through this Franchise, is granted the right to operate its System using the Grantor's Rights-of-Way within the Franchise Area in compliance with all applicable Grantor construction codes and procedures. Nothing in this Franchise shall be deemed to waive the requirements of the other codes and ordinances of general applicability lawfully enacted, or hereafter lawfully enacted, by the Grantor to the extent that the provisions of the codes and ordinances do not have the effect of materially limiting the benefits or materially expanding the obligations of the Grantee that are granted by this Franchise. Grantee reserves the right to challenge provisions of any ordinance adopted, subsequent to the execution of this Franchise that conflicts with rights granted herein.
(C) This Franchise shall not be interpreted to prevent the Grantor from imposing additional conditions, including additional compensation conditions for use of the Rights-of-Way, should Grantee provide service other than Cable Service, to the extent permitted by law.

(D) Grantee promises and guarantees, as a condition of exercising the privileges granted by this Franchise, that any Affiliate of the Grantee directly involved in the offering of Cable Service in the Franchise Area, or directly involved in the management or operation of the System in the Franchise Area, will also comply with the terms and conditions of this Franchise.

(E) No rights shall pass to Grantee by implication.

(F) This Franchise is intended to convey limited rights and interests only as to those Rights-of-Ways in which the Grantor has an actual interest. It is not a warranty of title or interest in any Rights-of-Way; it does not provide the Grantee with any interest in any particular location within the Rights-of-Way; and it does not confer rights other than as expressly provided in the grant hereof.

2.2 Use of Rights-of-Way

(A) Subject to Grantor's supervision and control, Grantee may erect, install, construct, repair, replace, reconstruct, and retain in, on, over, under, upon, across, and along the Rights-of-Way within the Franchise Area, such wires, cables (both coaxial and fiber optic), conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, pedestals, attachments and other property and equipment as are necessary and appurtenant to the operation of a System for the provision of Cable Services within the Franchise Area. Grantee shall comply with all applicable construction codes, laws, ordinances, regulations and procedures, now in effect or enacted hereafter.

(B) Grantee must follow Grantor-established written requirements including all Grantor codes, ordinances and other regulations regarding placement of System facilities in Rights-of-Way, including the specific location of facilities in the Rights-of-Way, and must in any event endeavor to install System facilities in a manner that minimizes interference with the use of the Rights-of-Way by others, including others that may be installing communications facilities. The Grantor may require that System facilities be installed at a particular time, at a specific place or in a particular manner as a condition of access to a particular Right-of-way; may deny access if Grantee is not willing to comply with Grantor's requirements; and may remove, or require removal of, any facility that is not installed in compliance with the requirements established by Grantor, or which is installed without prior Grantor approval of the time, place or manner of installation and charge Grantee for all the costs associated with removal; and may require Grantee to cooperate with others to minimize adverse impacts on the Rights-of-Way through joint trenching and other arrangements. Grantee shall assume all Grantee’s costs associated with any requirement of Grantor in the exercise of its police powers or in furtherance of any public improvement to move its System located in the Right-of-way.

(D) Grantor and Grantee agree that notwithstanding any other Franchises between them regarding the provision of electrical and water services to customers within the City, the provisions of this Franchise control as to Facilities used by Grantee for the Cable System.
2.3 Duration
The term of this Franchise and all rights, privileges, obligations and restrictions pertaining thereto shall be ten (10) years from the effective date of this Franchise, or coinciding with other franchised cable operator’s expiration date, whichever is later, unless terminated sooner as hereinafter provided.

2.4 Effective Date
(A) This Franchise and the rights, privileges, and authority granted hereunder and the contractual relationship established hereby shall take effect and be in force from and after the effective date of this Franchise as specified in this Section.

(B) Within six (6) months after the effective date of the Ordinance granting this Franchise, Grantee shall signify its acceptance of this Franchise by executing a written acceptance of this Franchise. This franchise is void unless accepted in writing by Grantee within this timeframe.

(C) The effective date of this Franchise shall be the date on which it is accepted in writing by Grantee.

2.5 Franchise Nonexclusive
This Franchise shall be nonexclusive, and subject to all prior rights, interests, easements or licenses granted by Grantor or its predecessors to any Person to use any property, Rights-of-Way, easement, right, interest or license for any purpose whatsoever, including the right of Grantor to use same for any purpose it deems fit, including the same or similar purposes allowed Grantee hereunder. Grantor may at any time grant authorization to use the Rights-of-Way for any purpose not incompatible with Grantee's authority under this Franchise and for such additional Franchises for Systems as Grantor deems appropriate.

2.6 Grant of Other Franchises
In the event Grantor enters into a franchise, permit, license, authorization or other agreement of any kind with any other Person or entity other than the Grantee, including itself, to enter into the Grantor's Streets or Rights-of-Way for the purpose of constructing or operating a System or providing Cable Service to any part of the Franchise Area in which the Grantee is providing Cable Service under the terms and conditions of this Franchise or is required to extend Cable Service under the provisions of this Franchise, the terms and conditions thereof, taken as a whole, shall be neither more favorable nor less burdensome to such Person or entity than those contained herein in order that one Cable Operator not be granted an unfair competitive advantage over another.

2.7 Familiarity with Franchise
The Grantee acknowledges and warrants by acceptance of the rights, privileges and agreement granted herein, that it has carefully read and fully comprehends the terms and conditions of this Franchise and is willing to and does accept all reasonable risks of the meaning of the provisions, terms and conditions herein. The Grantee further acknowledges and states that it has fully studied and considered the requirements and provisions of this Franchise, and finds that the same are commercially practicable at this time and consistent with all local, state and federal laws and regulations currently in effect, including the Cable Acts.
2.8 Effect of Acceptance
By accepting the Franchise, the Grantee: (1) acknowledges and accepts the Grantor's legal right to issue and enforce the Franchise; (2) agrees that it will not oppose the Grantor's intervening in any legal or regulatory proceeding affecting the System; (3) accepts and agrees to comply with each and every provision of this Franchise; and (4) agrees that the Franchise was granted pursuant to processes and procedures consistent with applicable law, and that it will not raise any claim to the contrary.

2.9 Police Powers
Grantee's rights hereunder are subject to the police powers of Grantor to adopt and enforce ordinances necessary to the safety, health and welfare of the public, and Grantee agrees to comply with all applicable laws, ordinances and regulations enacted pursuant to the police powers of Grantor, or hereafter enacted in accordance therewith, by Grantor or any other legally-constituted governmental unit having lawful jurisdiction over the subject matter hereof. Any conflict between the provisions of this Franchise and any other present or future lawful exercise of Grantor's police powers shall be resolved in favor of the latter.

2.10 Franchise Area
Grantee shall provide Cable Service, as authorized under this Franchise, within the Franchise Area.

SECTION 3. FRANCHISE FEE AND FINANCIAL CONTROLS

3.1 Franchise Fee
As compensation for the use of Grantor's Rights-of-Way or Streets, Grantee shall pay as a Franchise Fee to Grantor, throughout the duration of this Franchise, an amount equal to five (5%) percent of Grantee's Gross Revenues associated with Grantee's operation of its System in the Franchise Area. Accrual of such Franchise Fee shall commence as of the effective date of this Franchise. At such time as other franchised cable operator(s) are required to pay higher franchise fees, and upon written notification of such, Grantee shall notify its customers of a franchise fee increase and collect the higher amount and pay as a Franchise Fee to Grantor.

3.2 Payments
Grantee's Franchise Fee payments to Grantor shall be computed quarterly for the preceding calendar quarter ending September 30, December 31, March 31 and June 30. Each quarterly payment shall be due and payable no later than forty-five (45) days after said dates.

3.3 Acceptance of Payment
No acceptance of any payment shall be construed as an accord by Grantor that the amount paid is, in fact, the correct amount, nor shall any acceptance of payments be construed as a release of any claim Grantor may have for further or additional sums payable or for the performance of any other obligation of Grantee.

3.4 Quarterly Franchise Fee Reports
Each payment shall be accompanied by a written report to Grantor, verified by an officer of Grantee, containing an accurate statement in summarized form, as well as in detail, of Grantee's
Gross Revenues and the computation of the payment amount. Such reports shall detail all Gross Revenues of the System and shall be drafted in accordance with generally accepted accounting principles.

3.5 Audits
On an annual basis, upon thirty (30) days' prior written notice, Grantor shall have the right to conduct an independent audit of Grantee's records related to this Franchise and to recompute any amounts determined to be payable under this Franchise. Provided Grantee cooperates in making all relevant records available upon request, Grantor will in good faith attempt to complete each audit within six (6) months, and the audit period shall not be any greater than the previous three (3) years, unless Grantor has information relating to previous years beyond the three (3) which raises doubt as to the accuracy of payments made under this or previous Franchises. Any additional amounts due to the Grantor as a result of the audit shall be paid within sixty (60) days following written notice to the Grantee by the Grantor, which notice shall include a copy of the audit findings. If the audit shows that Franchise Fees have been underpaid, by three percent (3%) in a calendar year or more, Grantee shall pay the reasonable costs of the audit.

3.6 Financial Records
Grantee agrees to meet with a representative of the Grantor upon written request to review Grantee's method of record-keeping, financial reporting, the computing of Franchise Fee obligations and other procedures, the understanding of which the Grantor deems necessary for reviewing reports and records that are relevant to the enforcement of this Franchise.

3.7 Interest on Late Payments
In the event any payment is not received within forty-five (45) days from the end of the calendar quarter, Grantee shall pay, in addition to the payment or sum due, interest from the due date at an interest rate of 1% per month, beginning on the forty-sixth (46th) day after the end of the calendar quarter and continuing every day thereafter until the seventy-sixth (76th) day after the end of the calendar quarter, or until payment is made, whichever is earlier. If any payment is not received within seventy-six (76) days after the end of the calendar quarter, Grantee shall be assessed a late fee in the additional amount of two hundred dollars ($200.00) per day, beginning on the seventy-sixth (76th) day after the end of the calendar quarter and continuing every day thereafter until paid.

3.8 Maximum Franchise Fee
The parties acknowledge that, at present, applicable federal law limits Grantor to collection of a Franchise Fee of five percent (5%) of Gross Revenues. In the event that at any time during the duration of this Franchise, Grantor is authorized to collect an amount in excess of five percent (5%) of Gross Revenues, then this Franchise may be amended unilaterally by Grantor to provide that such excess amount shall be added to the maximum allowed Franchise Fee to be paid by Grantee to Grantor hereunder, provided that all providers of Cable Service in the Franchise Area over which the Grantor has jurisdiction are treated in an equivalent manner, and Grantee has received ninety (90) days prior written notice from Grantor of such amendment.

3.9 Additional Commitments Not Franchise Fees
No term or condition in this Franchise shall in any way modify or affect Grantee's obligation to pay Franchise Fees. Although the total sum of Franchise Fee payments and additional
commitments set forth elsewhere in this Franchise may total more than five percent (5%) of Grantee's Gross Revenues in any 12-month period, Grantee agrees that the additional commitments herein are not Franchise Fees, nor are they to be offset or credited against any Franchise Fee payments due to Grantor, nor do they represent an increase in Franchise Fees to be passed through to Subscribers pursuant to any federal law. Access Fees are not to be offset against and are not Franchise Fees.

3.10 Payment on Termination
If this Franchise terminates for any reason, the Grantee shall file with the Grantor within ninety (90) calendar days of the date of the termination, a financial statement, certified by an independent certified public accountant, showing the Gross Revenues received by the Grantee since the end of the previous fiscal year. Within sixty (60) days of the filing of the certified statement with the Grantor, Grantee shall pay any unpaid amounts as indicated. If the Grantee fails to satisfy its remaining financial obligations as required in this Franchise, the Grantor may do so by utilizing the funds available in a Letter of Credit or other security provided by the Grantee.

3.11 Duty to Cooperate and Payment Indemnification
Grantor agrees to exercise prompt and diligent efforts to verify whether billing addresses are in or outside the Franchise Area upon the written request of Grantee. Grantee agrees to defend, indemnify and hold harmless Grantor and its offices, officials and agents from any claim of any kind brought by any person relating to payments made to Grantor pursuant to this Franchise.

SECTION 4. ADMINISTRATION AND REGULATION

4.1 General Provisions
(A) Grantor shall be vested with the power and right to administer and enforce the requirements of this Franchise and the regulations and requirements of applicable law, including the Cable Act, or to delegate that power and right, or any part thereof, to the extent permitted under State and local law, to any agent designated by the City.

(B) Grantee shall comply with all applicable federal and state laws and regulations, including regulations of any administrative agency thereof, as well as all Grantor ordinances, resolutions, rules and regulations heretofore or hereafter adopted or established during the term of the Franchise. Nothing in this Franchise shall limit or expand the Grantor's right of eminent domain under State law.

(C) The Grantee and Grantor shall be entitled to all rights and be bound by all changes in local, State and federal law that occur subsequent to the effective date of this Franchise. The Grantee and the Grantor acknowledge that their rights and obligations under this Franchise are explicitly subject to all such changes. However, should such changes in law substantially reduce Grantee’s obligation to pay or provide Franchise Fees or any other support required in this Franchise, the Grantor and Grantee agree to enter into good faith negotiations for a six (6) month period, at the request of either party, to resolve the issues. If resolution is not reached within the six (6) month period, and the period has not been extended by mutual agreement, the parties shall commence the renewal process in accordance with the Cable Act.
4.2 Rates and Charges
All Grantee rates and charges related to or regarding Cable Services shall be subject to regulation by Grantor to the full extent authorized by applicable federal, State and local laws.

4.3 Rate Discrimination
All Grantee rates and charges shall be published (in the form of a publicly-available rate card), made available to the public, and shall be non-discriminatory as to all Persons of similar classes, under similar circumstances and conditions. Grantee shall apply its rates in accordance with governing law. Grantee shall permit Subscribers to make any in-residence connections the Subscriber chooses without additional charge and without penalizing the Subscriber therefor. However, if any in-home connection requires service from Grantee due to signal quality, signal leakage or other factors, caused by improper installation of such in-home wiring or faulty materials of such in-home wiring, the Subscriber may be charged appropriate service charges by Grantee. Nothing herein shall be construed to prohibit:

(A) The temporary reduction or waiving of rates or charges in conjunction with valid promotional campaigns;

(B) The offering of reasonable discounts to similarly situated Persons.

(C) The offering of rate discounts for Cable Service generally.

(D) The offering of bulk discounts for Multiple Dwelling Units.

4.4 Filing of Rates and Charges
(A) Throughout the term of this Franchise, Grantee shall maintain on file with Grantor a complete schedule of applicable rates and charges for Cable Services provided under this Franchise. Nothing in this subsection shall be construed to require Grantee to file rates and charges under temporary reductions or waivers of rates and charges in conjunction with promotional campaigns.

(B) On an annual basis and upon request, Grantee shall provide a complete schedule of current rates and charges for any and all Leased Access Channels, or portions of such Channels, provided by Grantee. The schedule shall include a description of the price, terms and conditions established by Grantee for Leased Access Channels.

4.5 Late Fees
If the Grantee assesses any kind of penalty fee for late payment, such fee shall comply with applicable law and shall be reasonable.

4.6 Time Limits Strictly Construed
Whenever this Franchise sets forth a time for any act to be performed by Grantee, such time shall be deemed to be of the essence, and any failure of Grantee to perform within the allotted time may be considered a material breach of this Franchise. However, in the event that Grantee is prevented
or delayed in the performance of any of its obligations under this Franchise by reason beyond the
reasonable control of Grantee, Grantee shall have a reasonable time, under the circumstances, to
perform the affected obligation under this Franchise or to procure a substitute for such obligation
which is satisfactory to Grantor.

4.7 Performance Evaluation

(A) Special evaluation sessions may be held at any time upon request by Grantor during
the term of this Franchise.

(B) All evaluation sessions shall be open to the public and announced at least one week
in advance in a newspaper of general circulation in the Franchise Area. Grantee shall notify its
Subscribers of all evaluation sessions by announcement on at least one Channel of its System
between the hours of 7:00 a.m. and 9:00 p.m. for five (5) consecutive days preceding each session.

(C) Topics which may be discussed at any evaluation session may include, but are not
limited to, Cable Service rate structures; Franchise Fees; liquidated damages; free or discounted
Cable Services; application of new technologies; system performance; Cable Services provided;
programming offered; customer complaints; privacy; amendments to this Franchise; judicial and
FCC rulings; line extension policies; and Grantor's or Grantee's rules; provided that nothing in this
subsection shall be construed as requiring the renegotiation of this Franchise, or as requiring
evaluation sessions to be held.

(D) During evaluations under this Section, Grantee shall fully cooperate with Grantor
and shall provide such information and documents as Grantor may require to perform the
evaluation.

SECTION 5. FINANCIAL AND INSURANCE REQUIREMENTS

5.1 Indemnification

(A) General Indemnification. Grantee shall indemnify, defend and hold Grantor, its
officers, officials, boards, commissions, authorized agents and employees, harmless from any
action or claim for injury, damage, loss, liability, cost or expense, including court and appeal costs
and attorneys’ fees and expenses, arising from any casualty or accident to Person or property,
including, without limitation, copyright infringement, defamation, and all other damages in any
way arising out of, or by reason of, any construction, excavation, operation, maintenance,
reconstruction, or any other act done under this Franchise, by or for Grantee, its agents, or its
employees, or by reason of any neglect or omission of Grantee's agents or its employees. Grantee
shall consult and cooperate with the Grantor while conducting its defense of the Grantor.

(B) Indemnification for Relocation. Grantee shall indemnify Grantor for any damages,
claims, additional costs or expenses assessed against, or payable by, Grantor related to, arising out
of, or resulting, directly or indirectly, from Grantee's failure to remove, adjust or relocate any of
its facilities in the Streets in a timely manner after request by Grantor in accordance with any
relocation required by Grantor.
(C) **Additional Circumstances.** Grantee shall also indemnify, defend and hold Grantor harmless for any claim for injury, damage, loss, liability, cost or expense, including court and appeal costs and attorneys' fees or expenses in any way arising out of:

1. The grant of this Franchise;
2. Any failure by Grantee to secure consents from the owners, authorized distributors or licensees/licensors of programs to be delivered by the System.

(D) **Procedures and Defense.** If a claim or action arises, Grantor or any other indemnified party shall tender the defense of the claim to Grantee, which defense shall be at Grantee’s expense. Grantor may participate in the defense of a claim and, in any event, Grantee may not agree to any settlement of claims affecting Grantor without Grantor's written approval.

(E) **Non-waiver.** The fact that Grantee carries out any activities under this Franchise through independent contractors shall not constitute an avoidance of or defense to Grantee's duty of defense and indemnification under this Section.

(F) **Duty to Give Notice and Tender of Defense.** The Grantor shall give the Grantee timely written notice of any claim or of the commencement of any action, suit or other proceeding covered by the indemnity in this Section. In the event any such claim arises, the Grantor or any other indemnified party shall tender the defense thereof to the Grantee and the Grantee shall have the obligation and duty to defend any claims arising thereunder, and the Grantor shall cooperate fully therein.

(G) If separate representation to fully protect the interests of both parties is necessary, such as a conflict of interest between the Grantor and the counsel selected by Grantee to represent, the Grantor, Grantee shall pay expenses incurred by the Grantor in defending itself with regard to any action, suit or proceeding indemnified by Grantee. The Grantor’s expenses shall include all out-of-pocket expenses, such as consultants’ fees, and shall also include the reasonable value of any services rendered by the Grantor attorney or his/her assistants or any employees of the Grantor or its agents but shall not include outside attorneys’ fees for services that are unnecessarily duplicative of services provided the Grantor by Grantee.

### 5.2 Insurance Requirements

(A) **General Requirement.** Grantee must have adequate insurance during the entire term of this Franchise to protect the Grantor against claims for injuries to Persons or damages to property which in any way relate to, arise from or are connected with this Franchise, or involve Grantee, its agents, representatives, contractors, subcontractors and their employees.

(B) **Initial Insurance Limits.** Grantee must keep insurance in effect in accordance with the minimum insurance limits herein set forth by the Grantor from time to time. The Grantee shall obtain policies for the following initial minimum insurance limits:

1. Commercial General Liability: Five million dollars ($5,000,000) aggregate limit per occurrence for bodily injury, personal injury and property damage;
(2) Automobile Liability: Three million dollars ($3,000,000) combined single limit per accident for bodily injury and property damage; and

(3) Employer's Liability: One million dollars ($1,000,000).
(4) Worker’s compensation per all State and Federal laws.

(C) Endorsements.

(1) All policies shall contain, or shall be endorsed so that:

(a) The Grantor shall be designated as additional insured.

(b) The Grantee's insurance coverage shall be primary insurance with respect to the Grantor, its officers, officials, boards, commissions, employees and duly authorized agents. Any insurance or self-insurance maintained by the Grantor, its officers, officials, boards, commissions, employees and agents shall be in excess of the Grantee's insurance and shall not contribute to it; and

(c) Grantee's insurance shall apply separately to each insured against whom a claim is made or lawsuit is brought, except with respect to the limits of the insurer's liability.

(2) The insurance shall provide that the insurance shall not be cancelled or materially altered so as to be out of compliance with the requirements of this Section without thirty (30) days' written notice first being given to Grantor. If the insurance is cancelled or materially altered so as to be out of compliance with the requirements of this Section within the term of this Franchise, Grantee shall provide a replacement policy. Grantee agrees to maintain continuous uninterrupted insurance coverage, in the amounts required, for the duration of this Franchise.

(D) Acceptability of Insurers. The insurance obtained by Grantee shall be placed with insurers with a Best's rating of no less than "A."

(E) Verification of Coverage. The Grantee shall furnish the Grantor with certificates of insurance or a copy of the page of the policy reflecting blanket additional insured status. The certificates for each insurance policy are to be signed by a Person authorized by that insurer to bind coverage on its behalf. The certificates for each insurance policy are to be on standard forms or such forms as are consistent with standard industry practices, and are to be received and approved by the Grantor prior to the commencement of activities associated with this Franchise. The Grantee hereby warrants that its insurance policies satisfy the requirements of this Franchise.

5.3 Security
Upon the effective date of this Franchise, Grantee shall provide a performance bond or other security in accordance with Grantor's applicable ordinances, rules and regulations to ensure the faithful performance of its responsibilities under this Franchise and applicable law, including, by
way of example and not limitation, its obligations to relocate and remove its facilities and to restore Grantor Rights-of-Way and other property.

5.4 Self-Insurance
As part of the Franchise negotiations Grantee has requested that Grantor waive the insurance provisions of this Franchise. Based on evidence submitted that Grantee has a program of self-insurance that will provide Grantor equivalent coverage to that which would be available had Grantee procured the insurance required herein, the waiver is granted. Grantee, through its self-insurance program, shall defend and indemnify Grantor in the same amounts and in the same manner as if Grantee had posted certificates of insurance and the other financial securities required herein.

SECTION 6. CUSTOMER SERVICE

6.1 Subscriber Contracts
Grantee shall not enter into a contract with any Subscriber that is in any way inconsistent with the terms of this Franchise.

6.2 Subscriber Privacy
Grantee will comply with privacy rights of Subscribers in accordance with applicable federal, State and local laws.

6.3 Customer Service Center
Throughout the Franchise term, the Grantee must maintain, at a minimum, one (1) customer service center conveniently located within five (5) miles of the Franchise Area which will be open during Normal Business Hours, to provide Subscribers the opportunity to receive and pick up Subscriber equipment and to make bill payments and complaints.

6.4 Customer Service Agreement and Manual
(A) Grantee shall provide to Subscribers an accurate, comprehensive service agreement and customer installation packet for use in establishing Subscriber service. This material shall, at a minimum, contain the following:

(1) Grantee's procedure for investigation and resolution of Subscriber service complaints or compliments.

(2) Services to be provided and rates for such services.

(3) Billing procedures.

(4) Service termination procedure.

(5) A description of the manner that will be used to provide notice of changes in rates, service or service terms and conditions.

(6) A complete statement of the Subscriber's right to privacy.
(7) Converter and cable modem equipment policy.

(8) The name, address and phone number of the Person identified by the Grantor as responsible for handling cable questions and complaints for the Grantor. This information shall be prominently displayed in the installation packet.

(B) A copy of the installation packet shall be provided to each Subscriber at the time of initial installation and any reconnection (excluding reconnections to the same Subscriber within twelve (12) months), and at any time the packet is requested by the Subscriber. Grantee shall make reasonable efforts to advise customers of any material changes in cable operation policies.

SECTION 7. REPORTS AND RECORDS

7.1 Open Records
Grantor shall have access to, and the right to inspect, any books and records of Grantee, its parent corporations and Affiliated entities, necessary for the enforcement of the terms of this Franchise. Grantee shall not deny Grantor access to any of Grantee's records on the basis that Grantee's records are under the control of any parent corporation, Affiliated entity or a third party. Grantor may, in writing, request copies of any such records or books, and Grantee shall provide such copies within thirty (30) days of the transmittal of such request. One copy of all reports and records required under this or any other Section shall be furnished to Grantor at the sole expense of Grantee. If the requested books and records are too voluminous, or for security reasons cannot be copied or removed, then Grantee may request, in writing within ten (10) days, that Grantor inspect them at Grantee's local offices. If any books or records of Grantee are not kept in a local office and not made available in copies to Grantor upon written request as set forth above, and if Grantor determines that an examination of such records is necessary for the enforcement of this Franchise, then all reasonable travel and maintenance expenses incurred in making such examination shall be paid by Grantee.

7.2 Confidentiality
Grantee and Grantor acknowledge that each is subject to the Washington State Public Records Act (the "Public Records Act") currently codified in Chapter 42.56 RCW. Grantee further acknowledges that Grantor has no legal authority or obligation to protect Grantee information furnished to Grantor that Grantee deems confidential or proprietary. Grantee shall be responsible for clearly and conspicuously identifying any information provided to Grantor that Grantee claims to be confidential or proprietary, and shall provide a brief written explanation as to why such information is confidential and how it may be treated as such under State or federal law. If Grantor receives a request under the Public Records Act for disclosure of any information designated by Grantee as confidential or proprietary, Grantor shall, so far as consistent with applicable law, advise Grantee and provide Grantee within a reasonable time with a copy of any written request by the party demanding access to such information. This shall be Grantor's sole obligation under this paragraph. If Grantee believes that the disclosure of such documents by Grantor would interfere with Grantee’s rights under federal or state law, Grantee shall promptly institute an action in the Pierce County Superior Court to prevent the disclosure by Grantor of
such documents. Grantee shall join the Person requesting the documents to such an action. Grantee shall defend, indemnify and hold Grantor harmless from any claim or judgment including, but not limited to, any penalties or costs assessed under the Public Records Act or other Washington State or federal law.

7.3 Records Required

Grantee shall at all times maintain:

(A) A full and complete set of plans, records and "as built" maps showing the exact location of all System equipment installed or in use in the Franchise Area, which is generated in Grantee’s normal course of business;

(B) A copy of all FCC filings on behalf of Grantee, its parent corporations or Affiliates which relate to the operation of the System in the Franchise Area;

(C) A list of Grantee's Cable Services, rates and Channel line-ups;

(D) A statistical compilation of Subscriber complaints, actions taken and resolution, and a log of service calls.

7.4 Copies of Federal and State Reports

Upon written request, Grantee shall submit to Grantor copies of any pleading, applications, notifications, communications and documents of any kind, submitted by Grantee or its Affiliates to any federal, State or local courts, regulatory agencies and other government bodies if such documents directly relate to the operations of Grantee's System within the Franchise Area. Grantee shall submit such documents to Grantor no later than thirty (30) days after receipt of Grantor’s request. Grantee shall not claim confidential, privileged or proprietary rights to such documents unless under federal, State, or local law such documents have been determined to be confidential by a court of competent jurisdiction, or a federal or State agency. With respect to all other reports, documents and notifications provided to any federal, State or local regulatory agency as a routine matter in the due course of operating Grantee's System within the Franchise Area, Grantee shall make such documents available to Grantor upon Grantor's written request.

7.5 Complaint File and Reports

Grantee shall keep an accurate and comprehensive file of any and all complaints regarding the System, and Grantee's actions in response to those complaints, in a manner consistent with the privacy rights of Subscribers. Those files shall remain open to Grantor during normal business hours and shall be retained for a period of one year. Upon written request, Grantee shall provide an executive summary report to the City or any designated agent in a format substantially similar to the report it provides to the City of Tacoma Franchise Administrator. Upon request, Grantee shall provide a report to the Grantor which can, at Grantor’s option, include the following information:

(A) Nature and type of customer complaints;

(B) Number, duration, general location and customer impact of unplanned service interruptions;
(C) Any significant construction activities which affect the quality or otherwise enhance the service of the System;

(D) Average response time for service calls;

(E) New areas constructed and available for Cable Service;

(F) Video programming changes (additions/deletions); and

(G) Such other information as reasonably requested by Grantor.

7.6 Inspection of Facilities
Grantor may inspect any of Grantee's facilities and equipment in the Rights-of-Way at any reasonable time during business hours upon at least forty-eight (48) hours’ notice, or, in case of emergency, upon demand without prior notice.

7.7 False Statements
Any intentional false or misleading statement or representation in any report required by this Franchise shall be a material breach of this Franchise and may subject Grantee to all remedies, legal or equitable, which are available to Grantor under this Franchise or otherwise.

SECTION 8. PROGRAMMING AND CHANNEL CAPACITY

8.1 Grantee Compliance
Grantee will provide the broad categories of programming and Channel capacity required in this Franchise, and in all applicable federal, State or local laws, statutes, regulations or standards.

8.2 Broad Programming Categories
Grantee shall provide or enable the provision of at least the following initial broad categories of programming to the extent such categories are reasonably available:

(A) Educational programming;

(B) Sports programming;

(C) General entertainment programming;

(D) Children’s programming;

(E) Information/news programming;

(F) National and local government programming.
8.3 Obscenity
Grantee or Grantor shall not transmit, or permit to be transmitted, over any Channel subject to its editorial control any programming which is obscene.

8.4 Parental Control Device
Grantee shall make available cable set-top receivers with the capability of providing parental control to enable a Subscriber to control access to any or all Channels, and shall also make instructions for the use thereof available to Subscribers.

8.5 Complementary Cable Service
Grantee, upon written request, shall provide without charge, a Standard Installation and five outlets of Basic and Expanded Basic Service to those administrative buildings owned and occupied or leased and occupied by the Grantor that are within 125 feet aerial or 60 feet underground of its cable system. In the case of leased facilities, recipient of service is responsible for securing approval for appropriate right of entry suitable to the Franchisee at its sole discretion. The Cable Service provided shall not be distributed beyond the originally installed outlet without authorization from Grantee. The Cable Service provided shall not be used for commercial purposes. The Grantor shall take reasonable precautions to prevent any use of the Grantee’s cable system in any manner that results in the inappropriate use thereof or any loss or damage or interference to the cable system. The Grantor shall hold the Grantee harmless from any and all liability or claims arising out of the provision and use of Cable Service required by this Section. The Grantee shall not be required to provide an outlet to such buildings where a non-Standard Installation is required, unless the Grantor or building owner/occupant agrees to pay the incremental cost of any necessary Cable System extension and/or non-Standard Installation. If additional outlets of cable service are provided to such buildings, the building owner/occupant shall pay the usual installation and service fees associated therewith. In the event a competing cable system is providing complementary cable TV services, there is no obligation for Grantee to provide like services.

8.6 New Developments
If there is a new technology which in Grantor’s opinion would enhance substantially the quality or quantity of programming available to Subscribers on the System, Grantee shall, at the request of the Grantor, investigate the feasibility of implementing said technology and report to Grantor the results of such investigation.

SECTION 9. EDUCATIONAL AND GOVERNMENTAL ACCESS

9.1 Capital Fee
Effective upon the acceptance of this Franchise and continuing during the term of this Franchise, Grantee will continue to pay to Grantor a Capital Fee for educational and government access capital expenditures in the amount of fifty cents ($.50) per Subscriber per month. If Grantor chooses to develop an Institutional Network, either through this franchise or through another cable television franchise or its own telecommunications facilities, then the Capital Fee shall be raised to an amount not exceeding one dollar ($1.00) per Subscriber per month provided that all
franchises for cable television service require payment of an equivalent fee. Any increase in the Capital Fee shall be payable by Grantee to Grantor: (a) after sixty (60) days’ notice to Subscribers of such increase; and (b) at the collection of the Capital Fee from such Subscribers. Grantee shall make such payments quarterly, no later than thirty (30) days following the end of the quarter. The Grantor agrees that federal law permits Grantee to add the cost of the Capital Fee to the price of Cable Services and to collect the Capital Fee from Subscribers. In addition, as permitted under federal law, all amounts paid as the Capital Fee may be separately stated on Subscriber's bills as a government access capital equipment fee.

9.2 Management and Control of Access Channels

(A) Grantor may authorize Designated Access Providers to control, operate, and manage the use of any and all Access facilities provided by Grantee under this Franchise, including, without limitation, the operation of Access Channels. The Grantor or its designee may formulate rules for the operation of the Access Channels, consistent with this Franchise. Nothing herein shall prohibit the Grantor from authorizing itself to be a Designated Access Provider.

(B) Grantee shall cooperate with Grantor and Designated Access Providers in the use of the System and Access facilities for the provision of Access Channels.

9.3 Access Channels

(A) Grantee shall continue to provide at no charge upon acceptance of this Franchise, and throughout the term of this Franchise, One (1) Channel for use by Grantor and One (1) Channel for use by the RCC (said Channels to be capable of cablecasting both live and recorded programming only within the geographic territory of Grantor).

(B) All assigned Access Channels can be used to transmit programming in any format which is technically compatible with the Cable System, including, by way of example and not limitation, video, audio only, secondary audio and/or text (character generated) messages. Such uses must be in furtherance of Access purposes. Each of the above Channels may be digitized by the Grantee and must be capable of transmitting one digital video signal. Any Access Channels provided via digital or compressed video technology shall have at least the same transmission quality as is used to carry any of the commercial Channels that deliver programming on the System and shall be full motion video. The provision of Access Channels via digital or compressed video technology will not reduce the total Access Channel requirement herein.

9.4 Access Reporting

Upon Grantee’s written request the Grantor shall submit a report annually on the use of University Place specific Access Channels and Capital Fee. The Grantor shall submit a report to Grantee within one hundred twenty (120) days of a written request. Grantee may review the records of the City regarding the use of the Capital Fee.
9.5  **Change in Technology**
In the event Grantee makes any change in the System and related equipment and facilities or in Grantee's signal delivery technology, which directly or indirectly affects the signal quality or transmission of University Place Specific Access services or programming, Grantee shall at its own expense take necessary technical steps or provide necessary technical assistance, including the acquisition of all necessary equipment, and full training of University Place specific Access personnel to ensure that the capabilities of Access services are not diminished or adversely affected by such change.

9.6  **Access Channels On Lowest Level of Service**
All Access Channels provided to Subscribers under this Franchise shall be included by Grantee, without limitation, as a part of the Basic Service.

9.7  **Access Channel Location/Relocation**
Grantee will carry Grantor’s programming on the channel designated for local government programming on its regional channel line-up, currently channel 12 in standard definition and channel 512 in HD, with both available only in University Place. Grantor will receive the same benefits from such carriage as other jurisdictions in western Washington. Furthermore, Grantee will use reasonable efforts to minimize the movement of Access Channel assignments. Grantee shall provide three (3) months’ notice to the Grantor prior to any relocation and shall reimburse Grantor for its costs incurred for any promoting, marketing, advertising and notice of the Channel change up to three thousand dollars ($3,000).

9.8  **Return Lines**

(A)  Grantee shall, at its expense, upon written request of the grantor, activate a fiber optic Return Line capable of two-way transmission to enable the distribution of Access programming to Subscribers on the Access Channels from Pierce County Television (PCTV) located at the Bates/Central Mohler Campus to the Click! Network.

(B)  In the event of a relocation of either of the facilities in use on the effective date hereof during the term of this Franchise, at the written request of Grantor, grantee shall construct and maintain one (1) additional set of return lines connecting the existing and relocated demarcation point. Any new return line construction costs shall be paid by the Grantor and completed within six (6) months.

9.9  **Technical Quality**
The Grantee shall provide the University Place specific Access channels with at least the same transmission quality as required by this Franchise and all other applicable laws, rules and regulations for other Channels and services but shall not be required to be of higher quality than received from Designated Access Provider. The Grantee shall provide routine maintenance and shall repair and replace, if necessary, all Grantee’s transmission equipment, including fiber transmitters and receivers, channel modulators, associated cable and equipment, required to carry a quality signal to and from the Grantor's Designated Distributor’s facilities (and Designated Access Providers’) and the Grantee's facilities for the University Place specific Access Channels provided under this Franchise.
9.10 Payments to Grantee

After satisfactory completion of work requested by Grantor for which Grantor is to reimburse the Grantee, and upon submission by Grantee, in such form as may be requested by Grantor, of a proper invoice for payment of the cost reasonably incurred and accompanied by such evidence in support thereof as may be reasonably required by Grantor, Grantor agrees to make payment for the cost reasonably incurred up to the estimated cost for the work; provided, however, that all payments shall be subject to adjustment for any amount found upon audit or otherwise to have been improperly invoiced.

All work shall be performed in a cost-effective manner to minimize the costs to Grantor. Grantee shall permit Grantor to inspect and audit all pertinent books and records of Grantee, and Grantee shall make available for inspection and audit all pertinent books and records of any Person who has performed the work for which costs are being billed to Grantor, so that Grantor may verify the accuracy of costs being billed. Grantee shall supply Grantor with or permit Grantor to make a copy of any books or records, and any portions thereof relating to the cost being billed for such work.

SECTION 10. GENERAL RIGHT-OF-WAY USE AND CONSTRUCTION

10.1 Construction

(A) Subject to applicable laws, regulations and ordinances of Grantor and the provisions of this Franchise, Grantee may perform all construction necessary for the operation of its System. All construction and maintenance of any and all Grantee’s facilities within Rights-of-Way shall, regardless of who performs the construction, be and remain Grantee's responsibility.

(B) Prior to beginning any construction, Grantee shall provide Grantor with a construction schedule for work in the Rights-of-Ways.

(C) Grantee may make excavations in Rights-of-Way for any facility needed for the maintenance or extension of Grantee's System. Prior to doing such work, Grantee shall apply for, and obtain, appropriate permits from Grantor, and give appropriate notices to Grantor. As a condition of any permits so issued, Grantor officials may impose such conditions and regulations as are necessary for the purpose of protecting any structures in such Rights-of-Way, proper restoration of such Rights-of-Way and structures, protection of the public and the continuity of pedestrian or vehicular traffic. When obtaining a permit, Grantee shall inquire in writing about other construction currently in progress, planned or proposed, in order to investigate thoroughly all opportunities for joint trenching or boring. Whenever it is possible and reasonably practicable to joint trench or share bores or cuts, Grantee shall work with other providers, licensees, permittees and franchisees so as to reduce so far as possible the number of Rights-of-Way cuts within the Franchise Area.

(D) In the event that emergency repairs are necessary, Grantee shall immediately notify Grantor of the need for such repairs. Grantee may initiate such emergency repairs, and shall apply for appropriate permits within forty-eight (48) hours after discovery of the emergency.
(E) Repair and Restoration of Property.

(1) The Grantee shall protect public and private property within the Rights-of-Way from damage.

(2) If public property is disturbed or damaged, the Grantee shall restore the property to its former condition. Public right-of-way or other Grantor property shall be restored in a manner and within a timeframe approved by the Grantor's Director of Public Works. If restoration of public right-of-way or other property of the Grantor is not satisfactorily performed within a reasonable time, the Director of Public Works may, after prior notice to the Grantee, or without notice where the disturbance or damage may create a risk to public health or safety, or cause delay or added expense to a public project or activity, cause the repairs to be made at the Grantee's expense and recover the cost of those repairs from the Grantee. Within forty-five (45) days of receipt of an itemized list of those costs, including the costs of labor, materials and equipment, the Grantee shall pay the Grantor. If suit is brought by Grantor upon Grantee's failure to pay for repair or restoration, the reasonable costs and expenses of the prevailing party will be paid by the non-prevailing party.

(F) Movement for Other Permittees.

At the request of any Person holding a valid permit and upon reasonable advance notice, Grantee shall temporarily raise, lower or remove its wires as necessary to permit the moving of a building, vehicle, equipment or other item. The expense of such temporary changes must be paid by the permit holder, and Grantee may require the estimated payment in advance.

10.2 Location of Facilities
Grantee shall follow current State regulations related to locating underground facilities, after the Grantor or any franchisee, licensee or permittee of the Grantor notifies Grantee of a proposed Right-of-Way excavation. At that time, Grantee shall, at Grantee's expense:

(A) Mark on the surface all of its located underground facilities within the area of the proposed excavation;

(B) Notify the excavator of any unlocated underground facilities in the area of the proposed excavation; or

(C) Notify the excavator that Grantee does not have any underground facilities in the vicinity of the proposed excavation.

10.3 Restoration of Rights-of-Way / Grantor Owned Property
(A) Whenever Grantee disturbs the surface of any Rights-of-Way or Grantor owned property for any purpose, Grantee shall promptly restore the Rights-of-Way or Grantor owned property to a condition as good as or better than its prior condition in Grantor’s sole determination. When any opening is made by Grantee in a hard surface pavement in any Rights-of-Way or Grantor
owned property, Grantee shall promptly refill the opening and restore the surface to a condition satisfactory to Grantor.

(B) If Grantee excavates the surface of any Rights-of-Way or Grantor owned property, Grantee shall be responsible for restoration in accordance with applicable regulations of the Rights-of-Way and its surface within the area affected by the excavation. Grantor may, after providing notice to Grantee, refill or repave any opening made by Grantee in the Rights-of-Way or on Grantor owned property, and the expense thereof shall be paid by Grantee. Grantor may, after providing notice to Grantee, remove and repair any work done by Grantee which, in the determination of Grantor, does not conform to applicable code. The cost thereof, including the costs of inspection and supervision shall be paid by Grantee. All excavations made by Grantee in Rights-of-Way or on Grantor owned property shall be properly safeguarded for the prevention of accidents. All of Grantee's work under this Franchise, and this Section in particular, shall be done in strict compliance with all rules, regulations and ordinances of Grantor.

10.4 Maintenance and Workmanship

(A) Grantee's System shall be constructed and maintained in such manner as not to interfere with sewers, water pipes or any other property of Grantor, or with any other pipes, wires, conduits, pedestals, structures or other facilities that may have been laid in Rights-of-Way by, or under, Grantor's authority.

(B) Grantee shall provide and use any equipment and appliances necessary to control and carry Grantee's signals so as to prevent injury to Grantor's property or property belonging to any Person. Grantee, at its own expense, shall repair, renew, change and improve its facilities to keep them in good repair and safe and presentable condition.

(C) The Grantee's transmission and distribution system, wires and appurtenances shall be located, erected and maintained so as not to endanger or interfere with the lives of Persons, or to unnecessarily hinder or obstruct the free use of Rights-of-Way, alleys, bridges or other public property.

(D) Grantee may perform routine maintenance of the cable system on non-arterial streets under a blanket permit issued as allowed in conformance with the University Place Municipal Code.

10.5 Acquisition of Facilities

Upon Grantee's acquisition of facilities in any Grantor Rights-of-Way, or upon the addition or annexation to the Grantor of any area in which Grantee owns or operates any facility, Grantee shall, at Grantor's request, submit to Grantor a statement describing all facilities involved, whether authorized by franchise, permit, license or other prior right, and specifying the location of all such facilities to the extent Grantee has possession of such information. Such facilities shall immediately be subject to the terms of this Franchise.

10.6 Relocation of Cable Facilities

The Grantee agrees and covenants at its sole cost and expense, to protect, support, temporarily disconnect, relocate or remove from any street, any component of its cable TV system when so
required by the City by reason of traffic conditions or public safety, widening, relocating or improvement of existing rights-of-way, streets or avenues, or change or establishment of street grade, provided that the Grantee shall in all such cases have the privilege to temporarily bypass, in the authorized portion of the same street upon approval by the City, any section of system required to be temporarily disconnected or removed. The provisions of this section shall not be applicable if the relocation is due to a private development, use or activity. Provided further that when street widening or improvement is desired by the City, that City will acquire sufficient right-of-way to accommodate all utilities including Grantee’s System.

If the City determines that a project (other than a project due to a private development, use or activity) necessitates the relocation of the Grantee’s then existing facilities, the City shall:

At least ninety (90) days prior to commencement of construction of such project, provide the Grantee with written notice and plans requiring such relocation, unless another time period for the notice is agreed to by the parties for a particular project.

Provide the Grantee with copies of pertinent portions of the plans and specifications for such project and a proposed location for the Grantee’s facilities so that the Grantee may relocate its facilities in other City right-of-way in order to accommodate such project.

After receipt of such notice and such plans and specifications, the Grantee shall complete relocation of its facilities at no charge or expense to the City (except as hereinafter provided) so as to accommodate the project construction schedule.

The Grantee may, after receipt of written notice requesting a relocation of its facilities, submit to the City written alternatives to such relocation. The City shall evaluate such alternatives and advise the Grantee in writing if one or more of the alternatives is suitable to accommodate the work, which would otherwise necessitate relocation of the Grantee’s facilities. If so requested by the City, the Grantee shall submit additional information to assist the City in making such evaluation. The City shall give each alternative proposed by the Grantee full and fair consideration. In the event the City ultimately determines in its sole discretion that there is no other reasonable alternative, the Grantee shall relocate its facilities as otherwise provided in this Section. Provided, however, the parties agree to exercise good faith, reasonable and timely decision making especially when issues arise in the field pertaining to relocations. The provisions of this Section shall survive the expiration or termination of this franchise.

The provisions of this Section shall in no manner preclude or restrict the Grantee from making any arrangements it may deem appropriate when responding to a request for relocation of its facilities by any person or entity other than the City, where the facilities to be constructed by said person or entity are due to a private development, use or activity, provided that such arrangements do not unduly delay a City construction project.

The City on occasion will be constructing, reconstructing and/or relocating roads, streets, public ways, areas or facilities within the right-of-way or property which will require Grantee to install and/or relocate part of its system. Grantee will be relying on the alignment, lines and grades as set forth in City’s approval plans wherein Grantee thereafter constructs or reconstructs its system in accordance with City’s requirements and City public works standards. Therefore, if City
thereafter again adjusts and/or revises the alignment, line or grade for a road, street, public way or area, before this part of the Grantee’s system has been in place for fifteen (15) years (commencing with the initial City revision), then City agrees to reimburse Grantee a pro rata share of the total relocation costs based on a fifteen (15) year life expectancy for the portion of Grantee’s system that is affected by the City revision unless differently agreed to in writing by City and Grantee at the time of the installation or relocation.

10.7 Discontinuing Use of Facilities
Whenever Grantee intends to discontinue using any facility within the Rights-of-Way, Grantee shall submit for Grantor's approval a complete description of the facility and the date on which Grantee intends to discontinue using the facility. Grantee may remove the facility or request that Grantor allow it to remain in place. Notwithstanding Grantee's request that any such facility remain in place, Grantor may require Grantee to remove the facility from the Rights of Way or modify the facility to protect the public health, welfare, safety and convenience, or otherwise serve the public interest. Grantor may require Grantee to perform a combination of modification and removal of the facility. Grantee shall complete such removal or modification in accordance with a schedule set by Grantor. Until such time as Grantee removes or modifies the facility as directed by Grantor, or until the rights to and responsibility for the facility are accepted by another Person having authority to construct and maintain such facility, Grantee shall be responsible for all necessary repairs and relocations of the facility, as well as maintenance of the Rights-of-Way, in the same manner and degree as if the facility were in active use, and Grantee shall retain all liability for such facility. If Grantee abandons its facilities, Grantor may choose to use such facilities for any purpose whatsoever including, but not limited to, Access Channel purposes.

10.8 Hazardous Substances
    (A) Grantee shall comply with all applicable State and federal laws, statutes, regulations and orders concerning hazardous substances relating to Grantee's System in Rights-of-Way.
    (B) Grantee shall maintain and inspect its System located in Rights-of-Way. Upon reasonable notice to Grantee, Grantor may inspect Grantee's facilities in Rights-of-Way to determine if any release of hazardous substances has occurred, or may occur, from or related to Grantee's System. In removing or modifying Grantee's facilities as provided in this Franchise, Grantee shall also remove all residue of hazardous substances related thereto.

10.9 Undergrounding of Cable
    (A) Where electric or telephone utility wiring is installed underground at the time of System construction, or when such wiring is subsequently placed underground, all System lines, wiring and equipment shall also be placed underground with other wireline service at no expense to the Grantor or Subscribers. Related System equipment, such as pedestals, must be placed in accordance with applicable code requirements and rules as interpreted by the Grantor’s Director of Public Works. In areas where both electric and telephone utility wiring are aerial, the Grantee may install aerial cable, except when a property owner or resident requests underground installation and agrees to bear the additional cost in excess of aerial installation.
    (B) The Grantee shall utilize existing poles and conduit wherever possible.
(C) This Franchise does not grant, give or convey to the Grantee the right or privilege to install its facilities in any manner on specific utility poles or equipment of the Grantor or any other Person.

(D) The Grantee and the Grantor recognize that situations may occur in the future where the Grantor may desire to place its own cable or conduit for fiber optic cable in trenches or bores opened by the Grantee. In addition, Grantor may wish to avail itself of rights pursuant to RCW 35.99.070. Therefore, if the Grantee upgrades in the future, the Grantee shall submit these plans to the Grantor in accordance with the Grantor’s permitting process so that such opportunities may be explored. However, nothing set forth herein shall obligate the Grantee to slow the progress of the upgrade of the System to accommodate the Grantor. In addition, the Grantee agrees to cooperate with the Grantor in any other construction by the Grantee that involves trenching or boring. If sufficient space is reasonably available, the Grantee shall allow the Grantor to lay its cable, conduit and fiber optic cable in the Grantee's trenches and bores, provided the Grantor shares in the cost of the trenching and boring on the same terms and conditions as the Grantee at that time shares the total cost of trenches and bores. The Grantor shall be responsible for maintaining its respective cable, conduit and fiber optic cable buried in the Grantee's trenches and bores under this paragraph.

(E) The Grantor shall not be required to obtain easements for the Grantee.

(F) The Grantee shall participate with other providers in joint trench projects to relocate its overhead facilities underground and remove its overhead facilities in areas where all utilities are being converted to underground facilities.

10.10 Construction Codes
Grantee shall strictly adhere to all building and zoning codes currently or hereafter in effect. Grantee shall arrange its lines, cables and other appurtenances, on both public and private property, in such a manner as to cause no unreasonable interference with the use of said public or private property by any Person. In the event of such interference, Grantor may require the removal or relocation of Grantee's lines, cables and other appurtenances from the property in question.

10.11 Construction and Use of Poles
Whenever feasible, Grantee shall use existing poles when the installation of facilities above-ground is permitted. In the event Grantee cannot obtain the necessary poles and related facilities pursuant to a pole attachment agreement, and only in such event, then it shall be lawful for Grantee to make all needed excavations in the Streets for the purpose of placing, erecting, laying, maintaining, repairing and removing poles, conduits, supports for wires and conductors, and any other facility needed for the maintenance or extension of Grantee's System. All poles of Grantee shall be erected between the curb and the sidewalk unless otherwise designated by the proper authorities of Grantor, and each pole shall be set whenever practicable at an extension lot line. Grantor shall have the right to require Grantee to change the location of any pole, conduit, structure or other facility within Rights-of-Way when, in the opinion of Grantor, the public convenience requires such change, and the expense thereof shall be paid by Grantee.
10.12 Tree Trimming

Upon obtaining a written permit from Grantor, if such a permit is required, Grantee may prune or cause to be pruned, using proper pruning practices in accordance with such permit, any tree in the Rights-of-Way which interferes with the System.

10.13 Standards

(A) All work authorized and required hereunder shall be done in a safe, thorough and worker-like manner. The Grantee must comply with all federal, State and Grantor safety requirements, rules, regulations, laws and practices, and employ all necessary devices as required by applicable law during construction, operation and repair of its System. By way of illustration and not limitation, the Grantee must comply with the National Electric Code, National Electrical Safety Code and Occupational Safety and Health Administration (OSHA) Standards.

(B) Grantee shall ensure that all cable drops are properly bonded to the electrical power ground at the home, consistent with applicable code requirements. All non-conforming or non-performing cable drops shall be replaced by Grantee as necessary.

(C) All installations of equipment shall be permanent in nature, durable and installed in accordance with good engineering practices and of sufficient height to comply with all existing Grantor regulations, ordinances and State laws so as not to interfere in any manner with the right of the public or individual property owner, and shall not interfere with the travel and use of public places by the public during the construction, repair, operation or removal thereof, and shall not obstruct or impede traffic.

(D) In the maintenance and operation of its System in Rights-of-Way, alleys and other public places, and in the course of any new construction or addition to its facilities, the Grantee shall proceed so as to cause the least possible inconvenience to the general public; any opening or obstruction in the Rights-of-Way or other public places made by the Grantee in the course of its operations shall be guarded and protected at all times by the placement of adequate barriers, fences or boarding, the bounds of which, during periods of dusk and darkness, shall be clearly designated by warning lights.

(E) In the event the Grantor shall relocate a Rights-of-Way, raise or lower a bridge, or make any other changes requiring the removal of utility installations, the Grantee shall remove or relocate its installations at said locations at no cost to the Grantor.

10.14 Stop Work

On notice from Grantor that any work is being conducted contrary to the provisions of this Franchise, or in an unsafe or dangerous manner as determined by Grantor, or in violation of the terms of any applicable permit, laws, regulations, ordinances or standards, the work may immediately be stopped by Grantor. The stop work order shall:

(A) Be in writing;

(B) Be given to the individual doing the work, or posted on the work site;

(C) Be sent to Grantee by mail at the address given herein;
(D) Indicate the nature of the alleged violation or unsafe condition; and
(E) Establish conditions under which work may be resumed.

10.15 Work of Contractors and Subcontractors
Grantee's contractors and subcontractors shall be licensed and bonded in accordance with Grantor's ordinances, regulations and requirements. Work by contractors and subcontractors is subject to the same restrictions, limitations and conditions as if the work were performed by Grantee. Grantee shall be responsible for all work performed by its contractors and subcontractors and others performing work on its behalf as if the work were performed by it, and shall ensure that all such work is performed in compliance with this Franchise and other applicable law, and shall be jointly and severally liable for all damages and correcting all damage caused by them. It is Grantee's responsibility to ensure that contractors, subcontractors or other persons performing work on Grantee's behalf are familiar with the requirements of this Franchise and other applicable laws governing the work performed by them.

SECTION 11. CABLE SYSTEM DESIGN AND CAPACITY

11.1 Equal and Uniform Service
The Grantee shall provide access to equal and uniform Cable Service offerings throughout the Franchise Area along public rights-of-way, provided that nothing shall prohibit the Grantee from activating additional Cable Services to Subscribers on a node by node basis during construction of its Cable System.

11.2 Cable System
Grantee shall construct a Cable System that is based upon a fiber-to-the-node system architecture, with fiber-optic cable deployed from the Headend through a hub to the node and tying into a hybrid fiber-coaxial system serving Subscribers. Active and passive devices must be capable of passing a minimum of 750 MHz, and the Cable System must be capable of delivering high quality signals that meet, or exceed, FCC technical quality standards regardless of a particular manner in which signal is transmitted. During the term of this Franchise, the Grantee agrees to maintain the Cable System in a manner consistent with, or in excess of these specifications.

11.3 Technical Performance
The technical performance of the Cable System shall meet or exceed all applicable federal (including, but not limited to, the FCC), State and local technical standards, as they may be amended from time to time, regardless of the transmission technology utilized. Grantor shall have the full authority permitted by applicable law to enforce compliance with these technical standards.

11.4 Cable System Performance Testing
(A) Grantee shall, at Grantee’s expense, perform the following tests on its Cable System:

(1) All tests required by the FCC;

(2) All other tests reasonably necessary to determine compliance with technical standards adopted by the FCC at any time during the term of this Franchise; and

(3) All other tests as otherwise specified in this Franchise.

(B) At a minimum, Grantee’s tests shall include:

(1) Cumulative leakage index testing of any new construction;

(2) Semi-annual compliance and proof of performance tests in conformance with generally accepted industry guidelines;

(3) Tests in response to Subscriber complaints;

(4) Periodic monitoring tests, at intervals not to exceed six (6) months, of Subscriber (field) test points, the Headend, and the condition of standby power supplies; and

(5) Cumulative leakage index tests, at least annually, designed to ensure that one hundred percent (100%) of Grantee’s Cable System has been ground or air tested for signal leakage in accordance with FCC standards.

(C) Grantee shall maintain written records of all results of its Cable System tests, performed by or for Grantee. Copies of such test results will be provided to Grantor upon request.

(D) Grantee shall be required to promptly take such corrective measures as are necessary to correct any performance deficiencies fully and to prevent their recurrence as far as possible. Grantee’s failure to correct deficiencies identified through this testing process shall be a material violation of this Franchise. Sites shall be re-tested following correction.

11.5 Additional Tests

Where there exists other evidence that in the judgment of Grantor casts doubt upon the reliability or technical quality of Cable Service, the Grantor shall have the right and authority to require Grantee to test, analyze and report on the performance of the Cable System. Grantee shall fully cooperate with the City in performing such testing and shall prepare the results and a report, if requested, within thirty (30) days after testing. Such report shall include the following information:

(A) the nature of the complaint or problem which precipitated the special tests;
(B) the Cable System component tested;

(C) the equipment used and procedures employed in testing;

(D) the method, if any, in which such complaint or problem was resolved; and

(D) any other information pertinent to said tests and analysis which may be required.

SECTION 12. INSTITUTIONAL NETWORK

12.1 Option to Provide Institutional Network at Grantor’s request
The Grantor may, during the term of this franchise, require the Grantee to provide a proposal for provision of an Institutional Network. Upon receipt of the notice, the City and the Grantee shall meet to discuss the Institutional Network communications needs of the City and the ability of the Grantee to accommodate them, at the City’s expense. I-Net design shall take into account the needs of the City and currently available technology.

12.2 Design and Estimation of Cost
Within sixty (60) days of the determination of the City’s I-Net needs, the Grantee shall provide to the City, in writing, a firm estimate of the incremental cost of I-Net construction. Within sixty (60) days of receipt of the cost estimate, the City shall respond to the Grantee with an acceptance or rejection of the I-Net project. If the City accepts the project, the Grantee will proceed with construction. Upon completion of construction, the Grantee will invoice the City for construction costs in an amount not to exceed the estimate and payable within one hundred twenty (120) days.

SECTION 13. SERVICE EXTENSION

13.1 Service Availability
(A) In general, except as otherwise provided herein, Grantee shall provide standard installation of Cable Service within seven (7) days of a request by any Person within its Franchise Area to serve a dwelling or other structure located within 125 feet of the system. For purposes of this Section, a request shall be deemed made on the date of signing a service agreement, receipt of funds by Grantee, receipt of a written request by Grantee or receipt by Grantee of a verified verbal request. Grantee shall provide such service:

(1) With no line extension charge except as specifically authorized elsewhere in this Franchise.

(2) At a non-discriminatory installation charge for a standard installation, consisting of a one hundred twenty-five (125) foot drop connecting to an appropriate exterior location for bonding and grounding of the drop, with additional charges for non-standard installations computed according to a non-discriminatory method for such installations, adopted by Grantee and provided in writing to Grantor.
(3) At non-discriminatory monthly rates for all Subscribers; separate rates may be established for commercial customers and multiple dwelling unit (MDU) bulk customers as allowed by law.

SECTION 14. STANDBY POWER AND EMERGENCY ALERT SYSTEM

14.1 Standby Power
Grantee shall provide standby power generating capacity at the System Headend capable of providing at least twelve (12) hours of emergency operation. Grantee shall maintain standby power system supplies, rated for at least two (2) hours duration, throughout the trunk and distribution networks. In addition, throughout the term of this Franchise Grantee shall have a plan in place, along with all resources necessary for implementing such plan, for dealing with outages of more than two (2) hours.

14.2 Emergency Alert Capability
(A) In accordance with, and at the time required by, the provisions of FCC Regulations, as such provisions may from time to time be amended, EAS activation will be accomplished in compliance with the FCC approved Washington State EAS plan and the Local Area EAS plan that applies to Pierce County, which has already been submitted for approval to the Washington State Emergency Communications Committee (WSECC).

(B) Grantee shall ensure that the EAS system is functioning properly at all times. It will test the EAS system periodically, in accordance with FCC regulations.

SECTION 15. FRANCHISE BREACHES; TERMINATION OF FRANCHISE

15.1 Informal Dispute Resolution
Prior to proceeding with the formal Procedure for Remedying of Franchise Violations process as set forth below (in subsection 15.2), Grantor agrees to provide Grantee informal verbal or electronic mail notice of any alleged material violation of this Franchise and allow Grantee a reasonable opportunity to cure the violation. If the alleged violation is investigated by Grantee and determined to be valid, Grantee agrees to exert good faith efforts to immediately resolve the matter. However, if the alleged violation is determined by Grantee to be invalid, or outside of Grantee’s legal responsibilities, the Grantee promptly shall so advise Grantor. Grantee agrees to exert good faith efforts to expedite its investigation, determination and communications to Grantor so that the informal resolution process proceeds on an expedited basis. If Grantor believes that Grantee is unreasonably delaying the informal resolution process, it may commence the formal
dispute resolution process.

15.2 Procedure for Remedying Franchise Violations

(A) If Grantor believes that Grantee has failed to perform any material obligation under this Franchise, or has failed to perform in a timely manner, Grantor shall notify Grantee in writing, stating with reasonable specificity the nature of the alleged default. Grantee shall have thirty (30) days from the receipt of such notice to:

1. Respond to Grantor, contesting Grantor's assertion that a default has occurred, and requesting a hearing in accordance with subsection (B), below;

2. Cure the default; or

3. Notify Grantor that Grantee cannot cure the default within the thirty (30) days, because of the nature of the default. In the event the default cannot be cured within thirty (30) days, Grantee shall promptly take all reasonable steps to cure the default and notify Grantor in writing and in detail as to the exact steps that will be taken and the projected completion date. In such case, Grantor may set a hearing in accordance with subsection (B) below to determine whether additional time beyond the thirty (30) days specified above is indeed needed, and whether Grantee's proposed completion schedule and steps are reasonable. Upon five (5) business days prior written notice, either Grantor or Grantee may call an informal meeting to discuss the alleged default.

(B) If Grantee does not cure the alleged default within the cure period stated above, or by the projected completion date under subsection (A)(3), or denies the default and requests a hearing in accordance with subsection (A)(1), or Grantor orders a hearing in accordance with subsection (A)(3), Grantor shall set a public hearing to investigate said issues or the existence of the alleged default. Grantor shall notify Grantee of the hearing in writing and such hearing shall take place no less than seven (7) days after Grantee's receipt of notice of the hearing. At the hearing, Grantee shall be provided an opportunity to be heard, to present and question witnesses, and to present evidence in its defense. At any such hearing, Grantor shall not unreasonably limit Grantee’s opportunity to make a record which may be reviewed should any final decision of Grantor be appealed to a court of competent jurisdiction. The determination as to whether a default or a material breach of this Franchise has occurred shall be within Grantor's sole discretion, but any such determination shall be subject to appeal to a court of competent jurisdiction.

(C) If, after the public hearing, Grantor determines that a default still exists, Grantor shall order Grantee to correct or remedy the default or breach within fourteen (14) days or within such other reasonable time frame as Grantor shall determine. In the event Grantee does not cure within such time to Grantor's reasonable satisfaction, Grantor may:

1. Assess and collect monetary damages in accordance with this Franchise;

2. Commence procedures to terminate this Franchise; or,
(3) Pursue any other legal or equitable remedy available under this Franchise or applicable law.

(D) The determination as to whether a violation of this Franchise has occurred pursuant to this Section herein shall be within the sole discretion of the Grantor or its designee. Any such determination by Grantor shall be accompanied by a record, to which Grantee’s contribution shall not be unreasonably limited by Grantor. Any such final determination shall be subject to appeal to a court of competent jurisdiction.

15.3 Alternative Remedies

(A) No provision of this Franchise shall be deemed to bar the right of either party to seek or obtain judicial relief from a violation of any provision of the Franchise or any rule, regulation, requirement or directive promulgated thereunder. Neither the existence of other remedies identified in this Franchise nor the exercise thereof shall be deemed to bar or otherwise limit the right of either party to recover monetary damages, as allowed under applicable law, or to seek and obtain judicial enforcement of obligations by means of specific performance, injunctive relief or mandate, or any other remedy at law or in equity.

(B) The Grantor specifically does not, by any provision of this Franchise, waive any right, immunity, limitation or protection (including complete damage immunity) otherwise available to the Grantor, its officers, officials, Councils, boards, commissions, authorized agents, or employees under federal, state, or local law including by example Section 635A of the Cable Act. The Grantee shall not have any monetary recourse against the Grantor, or its officers, officials, Council, Boards, commissions, agents or employees for any loss, costs, expenses or damages arising out of any provision, requirement of this Franchise or the enforcement thereof.

15.4 Assessment of Monetary Damages

(A) Upon completion of the procedures set forth above, and from the date of said violation pursuant to the procedures specified in this Franchise, Grantor may assess against and collect from Grantee monetary damages in amounts of up to five hundred dollars ($500.00) per day or the City’s actual damages, whichever is greater, for general construction delays, and up to two hundred dollars ($200.00) per day for any other material breaches for a maximum of ninety (90) days or until said breaches have been cured. Grantor may collect the assessment as specified in this Franchise.

(B) Any assessment hereunder shall not constitute a waiver by Grantor of any other right or remedy it may have under this Franchise or applicable law, including its right to recover from Grantee any additional rights or claims Grantor might have to damages, losses, costs and expenses.

(C) The Grantor and the Grantee recognize the delays, expense and unique difficulties involved in proving in a legal proceeding the actual loss suffered by the Grantor as a result of the Grantee's breach of this Franchise. Accordingly, instead of requiring such proof, the Grantor and the Grantee agree that the Grantee may be required to pay to the Grantor the sums set forth above for each day that the Grantee shall be in breach of the specific provisions of this Franchise. Such amounts are agreed by both parties to be a reasonable estimate of the actual damages the Grantor
would suffer in the event of the Grantee's breach of such provisions of this Franchise, and are not intended as a penalty.

(D) The Grantee's maintenance of the Security required herein or by applicable code shall not be construed to excuse unfaithful performance by the Grantee of this Franchise; to limit the liability of the Grantee to the amount of the Security; or to otherwise limit the Grantor's recourse to any other remedy available at law or equity.

15.5 Revocation

(A) This Franchise may be revoked and all rights and privileges rescinded if a material breach of the Franchise is not cured pursuant to Section 15.2, or in the event that:

1. Grantee fails to perform any material obligation under this Franchise;

2. Grantee attempts to evade any material provision of this Franchise or to practice any fraud or deceit upon the Grantor or Subscribers;

3. Grantee makes a material misrepresentation of fact in the negotiation of this Franchise;

4. Grantee or an Affiliate challenges the legality or enforceability of this Franchise in a judicial or administrative (for example, FCC) proceeding;

5. Grantee fails to maintain required business offices as provided above;

6. Grantee abandons the System, or terminates the System's operations;

7. Grantee fails to restore service to the System after three consecutive days of an outage or interruption in service except as provided for in Section 18.16 hereof; or; except when approval of such outage or interruption is obtained from the Grantor, it being the intent that there shall be continuous operation of the System; or

8. Grantee becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt, there is an assignment for the benefit of Grantee’s creditors, or all or part of the Grantee's System is sold under an instrument to secure a debt and is not redeemed by Grantee within thirty (30) days from said sale.

(B) Additionally, this Franchise may be revoked one hundred twenty (120) days after the appointment of a receiver or trustee to take over and conduct the business of the Grantee (at the option of the Grantor and subject to applicable law) whether in a receivership, reorganization, bankruptcy or other action or proceeding, unless:

1. The receivership or trusteeship is vacated within one hundred twenty (120) days of appointment; or
(2) The receivers or trustees have, within one hundred twenty (120) days after their election or appointment, fully complied with all the material terms and provisions of this Franchise, and have remedied all material defaults under the Franchise. Additionally, the receivers or trustees shall have executed an agreement duly approved by the court having jurisdiction, by which the receivers or trustees assume and agree to be bound by each and every term and provision of this Franchise.

(C) If there is a foreclosure or other involuntary sale of the whole or any part of the plant, property and equipment of Grantee, Grantor may serve notice of revocation on Grantee and to the purchaser at the sale, and the rights and privileges of Grantee under this Franchise shall be revoked thirty (30) days after service of such notice, unless:

(1) Grantor has approved the transfer of the Franchise, in accordance with the procedures set forth in this Franchise and as provided by law; and

(2) The purchaser has covenanted and agreed with Grantor to assume and be bound by all of the terms and provisions of this Franchise.

(D) Grantor shall provide Grantee written notice of its intent to consider revocation and hold a hearing in accordance with the provisions of this Franchise. Grantee shall submit any objection to revocation in writing to Grantor, stating with specificity its objections. Grantor shall hear any Persons interested in the revocation, and shall allow Grantee an opportunity to be heard, to cross-examine witnesses, to present evidence, and to make all reasonable additions to the hearing record.

(E) Grantor shall determine whether the Franchise shall be revoked. The Grantee may appeal such determination to a court of competent jurisdiction. Such appeal to the appropriate court shall be taken within thirty (30) days of the issuance of the determination of the Grantor. Grantor shall receive notice of any appeal concurrent with any filing to a court of competent jurisdiction.

15.6 Removal

(A) In the event of termination, expiration or revocation of this Franchise, and after all appeals from any judicial determination are exhausted and final, Grantor may order the removal of the System facilities from the Franchise Area at Grantee's sole expense within a reasonable period of time as determined by Grantor. In removing its plant, structures and equipment, Grantee shall refill, at its own expense, any excavation that is made by it and shall leave all Rights-of-Way, public places and private property in as good a condition as that prevailing prior to Grantee's removal of its equipment. Any portion of the Facilities that are covered by this Franchise that are also used as an integral part of Grantee's electrical distribution system may continue to operate notwithstanding the termination, expiration or revocation of this Franchise.

(B) If Grantee fails to complete any required removal to the satisfaction of Grantor, Grantor may cause the work to be done, and Grantee shall reimburse Grantor for the reasonable costs incurred within thirty (30) days after receipt of an itemized list of Grantor’s expenses and costs, or Grantor may recover its expenses and costs from the Security, or pursue any other judicial
remedies for the collection thereof. Any expenses incurred in the collection by Grantor of such obligation shall be included in the monies due Grantor from Grantee, including reasonable attorney fees, court expenses and attributed expenses for work conducted by Grantor’s staff or agents.

SECTION 16. ABANDONMENT

16.1 Effect of Abandonment
If the Grantee abandons its System during the Franchise term, or fails to operate its System in accordance with its duty to provide continuous service, the Grantor, at its option, may operate the System or; designate another entity to operate the System temporarily until the Grantee restores service under conditions acceptable to the Grantor, or until the Franchise is revoked and a new franchisee is selected by the Grantor. If the Grantor designates another entity to operate the System, the Grantee shall reimburse the Grantor for all reasonable costs, expenses and damages incurred, including reasonable attorney fees, court expenses and attributed expenses for work conducted by Grantor’s staff or agents.

SECTION 17. FRANCHISE TRANSFER

17.1 Transfer of Ownership or Control

(A) The Cable System and this Franchise shall not be sold, assigned, transferred, leased or disposed of, either in whole or in part, either by involuntary sale or by voluntary sale, merger or consolidation; nor shall title thereto, either legal or equitable, or any right, interest or property therein pass to or vest in any Person or entity without the prior written consent of the Grantor, which consent shall be by the City Council, acting by ordinance or resolution and which shall not be unreasonably withheld.

(B) The Grantee shall promptly notify the Grantor of any actual or proposed change in, or transfer of, or acquisition by any other party of control of the Grantee. The word "control" as used herein is not limited to majority stockholders but includes actual working control in whatever manner exercised. Every change, transfer or acquisition of control of the Grantee shall make this Franchise subject to cancellation unless and until the Grantor shall have consented in writing thereto.

(C) The parties to the sale or transfer shall make a written request to the Grantor for its approval of a sale or transfer and furnish all information required by law and the Grantor.

(D) In seeking the Grantor's consent to any change in ownership or control, the proposed transferee shall indicate whether it:

(1) Has ever been convicted or held liable for acts involving deceit including any violation of federal, State or local law or regulations, or is currently under an indictment, investigation or complaint charging such acts;

(2) Has ever had a judgment in an action for fraud, deceit, or misrepresentation entered against the proposed transferee by any court of competent jurisdiction;
(3) Has pending any material legal claim, lawsuit, or administrative proceeding arising out of or involving a cable system;

(4) Is financially solvent, by submitting financial data including financial statements that are audited by a certified public accountant who may also be an officer of the transferee, along with any other data that the Grantor may reasonably require; and

(5) Has the financial, legal and technical capability to enable it to maintain and operate the Cable System for the remaining term of the Franchise.

(E) The Grantor shall act by ordinance or resolution on the request within one hundred twenty (120) days of the request, provided it has received all requested information. Subject to the foregoing, if the Grantor fails to render a final decision on the request within one hundred twenty (120) days, such request shall be deemed granted unless the requesting party and the Grantor agree to an extension of time.

(F) Within thirty (30) days of any transfer or sale, if approved or deemed granted by the Grantor, Grantee shall file with the Grantor a copy of the deed, agreement, lease or other written instrument evidencing such sale or transfer of ownership or control, certified and sworn to as correct by Grantee and the transferee, and the transferee shall file its written acceptance agreeing to be bound by all of the provisions of this Franchise, subject to applicable law. In the event of a change in control, in which the Grantee is not replaced by another entity, the Grantee will continue to be bound by all of the provisions of the Franchise, subject to applicable law, and will not be required to file an additional written acceptance. By agreeing to any transfer of ownership, Grantor does not waive any rights in this Franchise.

(G) In reviewing a request for sale or transfer, the Grantor may inquire into the legal, technical and financial qualifications of the prospective controlling party or transferee, and Grantee shall assist the Grantor in so inquiring. The Grantor may condition said sale or transfer upon such terms and conditions as it deems reasonably appropriate, provided, however, any such terms and conditions so attached shall be related to the legal, technical and financial qualifications of the prospective controlling party or transferee and to the resolution of outstanding and unresolved issues of noncompliance with the terms and conditions of this Franchise by Grantee.

(H) Notwithstanding anything to the contrary in this subsection, the prior approval of the Grantor shall not be required for any sale, assignment or transfer of the Franchise or Cable System to an entity controlling, controlled by or under the same common control as Grantee, provided that the proposed assignee or transferee must show financial responsibility as may be determined necessary by the Grantor and must agree in writing to comply with all of the provisions of the Franchise. Further, Grantee may pledge the assets of the Cable System for the purpose of financing without the consent of the Grantor; provided that such pledge of assets shall not impair or mitigate Grantee’s responsibilities and capabilities to meet all of its obligations under the provisions of this Franchise.
SECTION 18. MISCELLANEOUS PROVISIONS

18.1 Preferential or Discriminatory Practices Prohibited
Grantee shall not discriminate in hiring, employment or promotion on the basis of race, color, ethnic or national origin, religion, age, sex, sexual orientation, or physical or mental disability. Throughout the term of this Franchise, Grantee shall fully comply with all equal employment or non-discrimination provisions and requirements of federal, State and local laws, and rules and regulations relating thereto.

18.2 Notices
Throughout the term of this Franchise, each party shall maintain and file with the other a local address for the service of notices by mail. All notices shall be sent to such respective address, and such notices shall be effective upon the date of mailing. At the effective date of this Franchise:

Grantee's address shall be:
Tacoma Power
Click! Network
Tacoma Public Utilities
3628 South 35th Street
Tacoma, WA  98409-3192
Attention:  Telecommunications Manager

With a copy to:
Tacoma Public Utilities
3628 South 35th Street
Tacoma, WA  98409-3192
Attention: Legal Department

Grantor's address shall be:
City of University Place
3715 Bridgeport Way West
University Place, WA  98466
Attention:  City Manager

With copies to:
City Attorney
City of University Place
3715 Bridgeport Way West
University Place, WA  98466
18.3 Costs to be borne by Grantee
Grantee shall pay for all costs of publication of this Franchise, and any and all notices prior to not more than two (2) public meetings provided for pursuant to this Franchise.

18.4 Binding Effect
This Franchise shall be binding upon the parties hereto, their permitted successors and assigns.

18.5 Authority to Amend
This Franchise may be amended at any time by written agreement between the parties.

18.6 Venue
The Venue for any dispute related to this Franchise shall be with the United States District Court for the Western District of Washington or the Pierce County Superior Court, Tacoma, Washington.

18.7 Governing Law
This Franchise shall be governed in all respects by the laws of the State of Washington.

18.8 Captions
The captions and headings of this Franchise are for convenience and reference purposes only and shall not affect in any way the meaning or interpretation of any provisions of this Franchise.

18.9 Construction of Franchise
The provisions of this Franchise shall be liberally construed to promote the public interest.

18.10 No Joint Venture
Nothing herein shall be deemed to create a joint venture or principal-agent relationship between the parties, and neither party is authorized to, nor shall either party act toward third persons or the public in any manner that would indicate any such relationship with the other.

18.11 Waiver
The failure of either party at any time to require performance by the other of any provision hereof shall in no way affect the right of the other party hereafter to enforce the same. Nor shall the waiver by either party of any breach of any provision hereof be taken or held to be a waiver of any succeeding breach of such provision, or as a waiver of the provision itself or any other provision.

18.12 Severability
If any Section, subsection, paragraph, term or provision of this Franchise is determined to be illegal, invalid or unconstitutional by any court or agency of competent jurisdiction, such determination shall have no effect on the validity of any other Section, subsection, paragraph, term or provision of this Franchise, all of which will remain in full force and effect for the term of the Franchise.

18.13 Entire Agreement
This Franchise and all Exhibits represent the entire understanding and agreement between the parties hereto with respect to the subject matter hereof and supersede all prior oral negotiations and written agreements between the parties.
18.14 **Compliance with Federal, State, and Local Laws**  
The Grantee shall comply with applicable federal, state and local laws, rules and regulations.

18.15 **Customer Service Standards**  
The Grantee shall comply with the customer service standards as established in 47 CFR 76.309.

18.16 **Force Majeure**  
The Grantee shall not be held in default under, or in noncompliance with, the provisions of this Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonably beyond the ability of the Grantee to anticipate and control, including war or riots, civil disturbances, floods or other natural catastrophes, labor stoppages, slow downs, or power outages exceeding back-up power supplies, work delays caused by waiting for utility providers to service or monitor their utility poles to which the Grantee’s Cable System is attached as well as unavailability of materials irrespective of cost.
IN WITNESS WHEREOF, this Franchise is signed in the name of the City of University Place, Washington, a municipal corporation, this _____ day of ________________________, 2017.

CITY OF UNIVERSITY PLACE

By: Steve Sugg, City Manager

ATTEST:

___________________________________________________________
Emelita Genetia
City Clerk

APPROVED AS TO FORM

___________________________________________________________
Matthew S. Kaser, City Attorney

ACCEPTED this _____ day of ________________________, 201_, subject to applicable federal, state and local law.

City of Tacoma Department of Public Utilities, Light Division, (dba) Click! Network

___________________________________________________________
By: Chris Robinson
Power Superintendent/COO
Tacoma Power

APPROVED AS TO FORM

___________________________________________________________
Finance

___________________________________________________________
Deputy City Attorney
STUDY SESSION
DATE: October 16, 2017
TO: City Council
FROM: Leslie Blaisdell, Deputy Finance Director
SUBJECT: 1% Property Tax Increase Study Session

Attached for your review is the Council Bill, Ordinance and back-up documentation which will be brought before council for approval on November 6, 2017.

On November 7, 2016, City Council approved the 2017-2018 Biennial Budget after holding two public hearings pursuant to RCW 84.55.120. The City Council’s adopted budget for the 2017-2018 biennium includes a 1% increase in the City’s ad valorem property tax in each year of the biennial budget.

In order to implement the increase for 2018, it is necessary to adopt an ordinance imposing an increase in the regular property tax levy for 2018 in the amount of $25,002.95 which is a percentage increase of 0.595197% from the previous year.

Staff is recommending that council pass an Ordinance relating to ad valorem property taxes, establishing the amounts to be raised in 2018 by taxation on the assessed valuation of property in the City of University Place, and setting the levy for the year 2015.
Proposed Council Action:

Pass an ordinance relating to ad valorem property taxes, establishing the amounts to be raised in 2018 by taxation on the assessed valuation of property in the City of University Place, and setting the levy for the year 2018.

SUMMARY / POLICY ISSUES

On November 7, 2016, City Council approved the 2017-2018 Biennial Budget after holding two public hearings pursuant to RCW 84.55.120. The City Council's adopted budget for the 2017-2018 biennium includes a 1% increase in the City’s ad valorem property tax in each year of the biennial budget.

In order to implement the 1% increase for 2018, it is necessary to adopt an ordinance imposing an increase in the regular property tax levy. The statutory limit results in an increase in the levy of $25,002.95, which is a percentage increase of 0.595197% exclusive of revenue from new construction, improvements to property, any increase in the value of state-assessed property, any annexations that have occurred and refunds made.

RECOMMENDATION / MOTION

MOVE TO: Pass an ordinance relating to ad valorem property taxes, establishing the amounts to be raised in 2018 by taxation on the assessed valuation of property in the City of University Place, and setting the levy for the year 2018.
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO AD VALOREM PROPERTY TAXES; ESTABLISHING THE AMOUNTS TO BE RAISED IN 2017 BY TAXATION ON THE ASSESSED VALUATION OF PROPERTY IN THE CITY; AND SETTING THE LEVY FOR THE YEAR 2018

WHEREAS, the City Council of the City of University Place has met and considered its budget for the calendar year 2018; and

WHEREAS, the City’s actual levy amount from the previous year was $4,200,791.06; and

WHEREAS, the population of the City is more than 10,000;

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

Section 1. 2018 Property Tax. An increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2018 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be $25,002.95 which is a percentage increase of 0.595197% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Section 2. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

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 days after publication.

PASSED BY THE CITY COUNCIL ON NOVEMBER 6, 2017.

_____________________________
Javier H. Figueroa, Mayor

ATTEST:

_________________________________
Emelita Genetia, City Clerk

APPROVED AS TO FORM:

_________________________________
Matt Kaser, City Attorney

Date of Publication:
Effective Date:
MEMORANDUM

DATE: September 15, 2017
TO: Pierce County Taxing Districts
FROM: Mike Lonergan, Assessor-Treasurer
RE: Preliminary Certification of Assessed Values/Levy Limit Factor

Enclosed is the Preliminary Certification of Assessed Values for your taxing district. These values include last year's State Assessed Property Values.

For budget preparation assistance to applicable districts, Levy limit factor worksheets, court ordered refund information, and sample ordinance/resolutions are included.

Submit original ad valorem Budget / Levy Certifications & an approved Ordinance or Resolution no later than November 30th:

Pierce County Council
Attention: Clerk, Rm. 1046
County City Building
930 Tacoma Ave. S
Tacoma, WA 98402

And a copy to:
Pierce County Assessor-Treasurer
Attention: Levy Dept.
2401 S. 35th St. Rm. 142
Tacoma, WA 98409

(Failure to submit a budget request & the district's Resolution/Ordinance may adversely affect next year's Levy collection)

Preliminary Values Are Subject to Change.
Districts will receive Final values in December.
Amended Levy Certifications may be submitted to the Pierce County Assessor-Treasurer after final values have been calculated.

The district's Ordinance/Resolution must identify these three components.
- The dollar amount of the previous year's levy. The actual levy received, including refunds.
- The dollar amount of increase reflects the difference between the previous year's actual levy and the 1% growth of the highest lawful levy, or a lesser amount if banking levy capacity.
- The percent of increase equals the change over the prior year's actual levy plus the dollar amount of increase equal to the district's highest lawful levy for this year, or a lesser amount if banking levy capacity.

See reverse for answers to frequently asked questions.

Contact Kim Fleshman for questions (253) 798-7114, kfleshm@co.pierce.wa.us
Levy FAQs

Q. How should the Ordinance/Resolution read if the district is limited at a lesser amount due to the statutory maximum rate limit?

A. Prepare the document as though there is no limit due to the statutory maximum rate. Add language to inform the district’s taxpayers of the rate limit and the projected allowable levy to the Ordinance/Resolution.

The Ordinance/Resolution must contain three amounts; last year’s actual levy, the dollar amount & percent of increase needed for the following year. The intent of the district must be clear in the Ordinance/Resolution.

Q. Why does the sample Ordinance/Resolution show more/less than 1%?

A. The 1% limit refers to the limitation of increase to a district’s highest lawful levy known as the Levy Limit Factor. The percent of increase approved in a district’s Ordinance/Resolution equals the change over the prior year’s actual amount levied plus the dollar amount of increase for the next year’s budget needs.

- The simple act of passing an Ordinance/Resolution allows a district to increase the Highest Lawful levy by the lesser of 1% or the IPD, depending on the size of the district.
- The increase authorized in the document identifies how much of that increase is required for the next year’s budget needs.

Q. Why does the sample show $0 increase and an increase of 0%?

A. The total amount levied in the prior year is more than this year’s increase from the limit factor, the district should ask for a $0 and 0% increase. This does not affect any increase allowed by the limit factor increase of the highest lawful levy. Once a district passes the Ordinance/Resolution the Highest Lawful levy is allowed to increases by the limit factor.

A district’s Ordinance or Resolution controls two levy limitations;

1. The act of passing a resolution/ordinance allows the Limit Factor increase (lesser of 1% or the IPD) to the highest lawful levy.

2. The authorized percent and dollar amount stated increase over the prior year’s actual, Certified levy request.

Q. What documents need to be submitted by November 30?

A. No later than November 30, provide a copy of the approved Ordinance/Resolution & the Levy Certification (Budget Request).

FAILURE TO PROVIDE THESE DOCUMENTS BY THE DUE DATE COULD ADVERSLEY AFFECT YOUR LEVY.

Contact Kim Fleshman for questions (253) 798-7114, kfleshm@co.pierce.wa.us
Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, ____________________________,

(Name)

______________________________, for ____________________________, do hereby certify to

(Title) (District Name)

the ____________________________ County legislative authority that the ____________________________

(Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in _____________ as provided in the district’s

(Year of Collection)

budget, which was adopted following a public hearing held on _____________:

(Date of Public Hearing)

Regular Levy: ____________________________

(State the total dollar amount to be levied)

Excess Levy: ____________________________

(State the total dollar amount to be levied)

Refund Levy: ____________________________

(State the total dollar amount to be levied)

Signature: ____________________________ Date: ____________________________

To ask about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6718. For tax assistance, call (360) 534-1400.

REV 64 0100e (w) (2/21/12)
September 15, 2017

OFFICIAL NOTIFICATION TO: UNIVERSITY PLACE

RE: 2017 PRELIMINARY ASSESSED VALUES

FOR REGULAR LEVY
Total Taxable Regular Value 3,803,526,240
Highest lawful regular levy amount since 1985 4,183,954.47
Last year’s actual levy amount 4,200,791.06
Additional revenue from current year’s NC&I 49,193.81
Additional revenue from annexations (RCW 84.55) 0.00
Additional revenue from administrative refunds (RCW 84.69) 20,505.22

No additional revenue from administrative refunds will be allowed if you are limited by your statutory rate limit.

Additional revenue from increase in state-assessed property 0.00

FOR EXCESS LEVY
Taxable Value 3,762,408,235
Timber Assessed Value
Total Taxable Excess Value 3,762,408,235

2017 New Construction and Improvement Value 39,932,387

If you need assistance or have any questions regarding this information, please contact Kim Fleshman 253.798.7114 kfleshm@co.pierce.wa.us.
EXAMPLE OF ORDINANCE/RESOLUTION REQUESTING HIGHEST LAWFUL LEVY

Ordinance/Resolution No._______
RCW 84.55.120

WHEREAS, the (Governing body of the taxing district) of UNIVERSITY PLACE (Name of the taxing district) has met and considered its budget for the calendar year 2018; and,

WHEREAS, the districts actual levy amount from the previous year was $4,200,791.06 and,

Previous Year's Levy Amount

WHEREAS, the population of this district is □ more than or □ less than 10,000; and now, therefore,

(Check One)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2018 tax year.

(Year of Collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be $25,002.95 which is a percentage increase of 0.595197% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this __________ day of __________, _______.

SAMPLE

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax. This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at:

For tax assistance, visit http://dor.wa.gov/content/taxes/property/default.aspx or call (360) 570-5900. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users
TAX LEVY LIMIT 2017 FOR 2018

REGULAR TAX LEVY LIMIT:
A. Highest regular tax which could have been lawfully levied beginning with the 1985 levy [refund levy not included] times limit factor (as defined in RCW 84.55.005).
   2016
   4,183,954.47
   1.01
   4,225,794.01

B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).
   39,932,387
   1.231927499272
   49,193.81

C. Current year's state assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied).
   27,115,622
   27,115,622
   0.00
   1.231927499272
   0.00

D. REGULAR PROPERTY TAX LIMIT (A + B + C)
   4,274,987.82

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:
E. To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.
   4,274,987.82
   3,803,526,240
   1.123953813017

F. Annexed area's current assessed value including new construction and improvements times rate found in E above.
   0.00
   1.123953813017
   0.00

G. NEW LEVY LIMIT FOR ANNEXATION (D + F)
   4,274,987.82

LEVY FOR REFUNDS:
H. RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.69 or 84.69 RCW. (D or G + refund if any)
   4,274,987.82
   20,505.22
   4,295,493.04

I. TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT (D,G,or H)
   4,295,493.04

J. Amount of levy under statutory rate limitation.
   3,803,526,240
   1,600,000,000,000
   6,085,641.98

K. LESSER OF I OR J
   4,295,493.04
Before you for study session tonight is the 2017/2018 Mid-Biennial Budget Adjustment. The required public hearing and adoption is scheduled for November 6, 2017. Many of the changes are standard adjustments to projections. I have highlighted the significant changes to both 2017 and 2018 below.

- The largest change is related land sales. In the 2017/2018 Adopted budget all land sale proceeds and resulting transfers for the remaining lots were budgeted in 2017. The sales of Lot 4 and Lot 12 will be completed in 2017, so the remaining projected sales and resulting transfers are being moved to 2018. Proceeds from the Lot 4 and 12 are being transferred to Municipal Facilities CIP for the City Hall Tenant Improvements. These changes are reflected as large decreases in 2017 revenue and expense on Exhibit A1 and large increases to revenue and expense in 2018 on Exhibit A2.
- Revenue adjustments in 2017 include increases to the State Shared City Assistance, Investment Interest, Building Fees, and Sales tax.
- For 2018 we received updated projections from the Department of Revenue on State Shared Revenues. There are slight increases to both Liquor taxes and fuel taxes.
- Two grant funded projects have been added. In the Street fund we received a $20,000 Sidewalk Replacement Grant in 2017. In the Public Works CIP Fund we received a $1.1 million dollar grant Bridgeport Overlay for 2018.
- The Development Services fund is adding a Building Inspector/Plans Examiner position through 2018 due to the increase in permit activity in 2017. This position is funded by increased building fee revenues.
- Adjustments to the Surface Water Management fund include a $50,000 NPDES Grant.
- The Municipal Facilities CIP fund includes the increase to City Hall Tenant Improvements discussed above as well as expenditure adjustments related to the addition of a restroom and TI costs related to adding a tenant to the old Recreation space.
- The IT Fund adjustments include increases in 2017 and 2018 for Network and Server Hardware, GIS costs, Pet Licensing software, Fixed Asset software and consulting. These items are funded by a transfer from the General Fund.

As you can see in the updated forecast attached, the various adjustments and shifting of land sales has a negligible effect on our General Fund ending fund balance. We see a decrease of $176,006 in 2017, but that difference is made up in 2018. The 2018 Ending Fund Balance is projected to be $93,330 higher.
## CITY OF UNIVERSITY PLACE
### ENDING FUND BALANCES

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<td>$6,638,181</td>
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<td>1,601,555</td>
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*Internal Service Funds: IT Fund, Fleet Fund, Risk Management Fund  Balance reflects Assets and not cash.

**Restricted Funds: Arterial Street Fund, Real Estate Excise Tax Fund, Traffic Impact Fee Fund, LRF Fund, Transportation Benefit District, SWM Fund, Debt Service Fund, Paths & Trails Fund, CIP Funds, Donations Fund
Proposed Council Action:
Approve Ordinance amending the 2017-2018 Biennial Budget for the Mid Biennial Budget Adjustment.

Expenditure Required $98,035,137
Amount Budgeted $94,742,432
Appropriation Required $3,292,705

SUMMARY / POLICY ISSUES

An Ordinance of the City of University Place, Washington revising the 2017-2018 Adopted Biennial Budget and amending Section 1 of Ordinance No. 687. Most changes are standard adjustments. The following details the higher value/more significant changes:

- The largest change is related land sales. In the 2017/2018 Adopted budget all land sale proceeds and resulting transfers for the remaining lots were budgeted in 2017. The sales of Lot 4 and Lot 12 will be completed in 2017, so the remaining projected sales and resulting transfers are being moved to 2018. Proceeds from the Lot 4 and 12 are being transferred to Municipal Facilities CIP for the City Hall Tenant Improvements. These changes are reflected as large decreases in 2017 revenue and expense on Exhibit A1 and large increases to revenue and expense in 2018 on Exhibit A2.
- Revenue adjustments in 2017 include increases to the State Shared City Assistance, Investment Interest, Building Fees, and Sales tax.
- For 2018 we received updated projections from the Department of Revenue on State Shared Revenues. There are slight increases to both Liquor taxes and fuel taxes.
- Two grant funded projects have been added. In the Street fund we received a $20,000 Sidewalk Replacement Grant in 2017. In the Public Works CIP Fund we received a $1.1 million dollar grant Bridgeport Overlay for 2018.
- The Development Services fund is adding a Building Inspector/Plans Examiner position through 2018 due to the increase in permit activity in 2017. This position is funded by increased building fee revenues.
- Adjustments to the Surface Water Management fund include a $50,000 NPDES Grant.
- The Municipal Facilities CIP fund includes the increase to City Hall Tenant Improvements discussed above as well as expenditure adjustments related to the addition of a restroom and TI costs related to adding a tenant to the old Recreation space.
- The IT Fund adjustments include increases in 2017 and 2018 for Network and Server Hardware, GIS costs, Pet Licensing software, Fixed Asset software and consulting. These items are funded by a transfer from the General Fund.

BOARD OR COMMITTEE RECOMMENDATION
City Council Reviewed and discussed these changes during Study Session on October 16, 2017.

RECOMMENDATION / MOTION

MOVE TO: Approve Ordinance Amending the 2017-2018 Biennial Budget.
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO BUDGETS AND FINANCE, REVISING THE 2017/2018 BUDGET AMENDING SECTION 1 OF ORDINANCE NO. 687

WHEREAS, certain revisions to the 2017/2018 Biennial Budget are necessary;

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

Section 1. 2017/2018 Amended Budget. Ordinance 687, Section 1, is amended to adopt the revised budget for the 2017-2018 biennium in the amounts and for the purposes as shown on the attached Exhibits A-1 and A-2.

Section 2. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

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 days after publication.

PASSED BY THE CITY COUNCIL ON NOVEMBER 6, 2017.

Javier H. Figueroa, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Matt Kaser, City Attorney

Date of Publication: Effective Date:
### CITY OF UNIVERSITY PLACE
#### 2017 Amended Budget

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<th>EXPENDITURES &amp; OTHER USES</th>
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## CITY OF UNIVERSITY PLACE

### 2018 Amended Budget

### EXHIBIT A-2

#### REVENUES & OTHER SOURCES

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Regional Growth Center Subarea Plan

Proposal
The City of University Place is proposing to adopt a Regional Growth Center Subarea Plan to provide a vision and framework for managing growth and promoting economic development consistent with the University Place Comprehensive Plan and Puget Sound Regional Council regional growth center planning requirements and guidelines.

Background
The City submitted an application for Regional Growth Center designation to the Puget Sound Regional Council in October 2014. The PSRC Executive Board granted a provisional designation for the Center on December 4, 2014 contingent on the City preparing a Subarea Plan for the designated center area within two years. In 2016 the Puget Sound Regional Council Executive Board granted a one year extension to submit an adopted subarea plan.

Ad-Hoc Committee. In March 2016, the City Council appointed members of the community, including two Planning Commissioners and two Economic Development Commissioners, to serve on a Regional Growth Center Subarea Plan Ad-Hoc Committee. The Ad-Hoc Committee met at key milestones of the planning process and helped to develop the vision and guiding principles for the Regional Growth Center, as well as the plan for land use and implementation actions. In addition to advising City staff and the consultant team in the development of the Subarea Plan, the Ad-Hoc Committee supported community and stakeholder outreach during the planning process, including two separate series of community and stakeholder workshop sessions that were held in December 2016 and May 2017 to gather comments and input related to the Subarea Plan as it was developed. The Ad-Hoc Committee has recommended approval of the Draft Subarea Plan subject to suggested edits being made prior to adoption.

As part of the planning process, staff has worked closely with property owners, business representatives, and developers to identify and support potential opportunities for redevelopment.

Plan Content
The University Place Regional Growth Center Subarea Plan divides the Center into three districts: the Town Center District, 27th Street Business District and the Northeast Mixed Use District. The Plan proposes to strengthen the identity, character, and economic development opportunities within each of the three districts through a flexible framework of redevelopment that can be adapted to market conditions.

The Plan includes its own vision statement and guiding principles, consistent with the community’s vision and growth management policies as well as those of the region. The Plan anticipates the following benefits to the subarea, the larger community and the region overall:

- Increased capacity to accommodate growth in population, housing, and employment, consistent with the region’s 2040 Vision and growth targets;
- Enhancements to district and neighborhood character as areas redevelop over time;
• Increases in the variety of housing and employment opportunities in the community, including housing affordable to a broad range of residents;
• Improved economic vibrancy due to increased business opportunities;
• Service and environmental benefits associated with infrastructure improvements, such as better stormwater runoff management and treatment;
• Better connectivity throughout the subarea and community as a result of multimodal transportation improvements and future implementation of express bus service connecting to the region’s high capacity transit system; and
• Improved livability and health for residents, with more community amenities and services as the population grows including more opportunities to walk and bicycle, contributing to healthy, active lifestyles.

The Plan includes a market analysis that identifies sectors of growth in the region and recommends which areas the City should concentrate its efforts on to further economic growth and stability. While the Plan sets the course for the future, a specific list of actions will need to be completed in order to fully implement the Plan. These actions items include:

• Comprehensive Plan Map amendments to support the proposed zoning classifications;
• Zoning Map amendments to reflect proposed MUR and EMU zoning categories;
• Zoning code amendments to revise use types and modify other development standards;
• Development of specific master plans and design guidelines for each subarea district;
• Planned action ordinance to streamline SEPA review process and expedite redevelopment;
• Updates to transportation and utility infrastructure improvement plans;
• Planning for increased transit service; and
• Coordination with public service providers to address the needs of future population of the subarea as it grows.

Public Notice and Comment
The City published a Notice of Public Hearing for the October 4th Planning Commission public hearing in the Tacoma News Tribune on September 23, 2017. The City submitted a Notice of Intent to Adopt Amendment to the Department of Commerce on September 22, 2017. No state agency comments or other public comments have been received to date in response to these notices.

State Environmental Policy Act (SEPA) Documentation
The City issued a Determination of Nonsignificance, Incorporation by Reference of Environmental Documents, and Adoption of Existing Environmental Documents on September 23, 2017 with a 14-day comment period ending October 6, 2017. No comments were received in response.

Planning Commission Recommendation
The Planning Commission held study sessions on September 6 and 20, 2017 to review the draft Subarea Plan and identify issues that might require further work before recommending the Subarea Plan to the City Council. On October 4, 2017 the Planning Commission held a public hearing to consider public testimony. The Planning Commission recommends approval of the Draft University Place Regional Growth Center Subarea Plan based on the findings and conclusions provided in the attached Planning Commission Resolution 2017-04.

Attachments:
1. Planning Commission Resolution 2017-04
2. October 2017 Draft Subarea Plan
3. SEPA Determination of Nonsignificance, Incorporation by Reference of Environmental Documents, and Adoption of Existing Environmental Documents
RESOLUTION NO. 2017-04

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE PLANNING COMMISSION, RECOMMENDING TO MAYOR, MAYOR PRO TEM, AND CITY COUNCIL APPROVAL OF A UNIVERSITY PLACE REGIONAL GROWTH CENTER SUBAREA PLAN

WHEREAS, the City Council established and appointed the Planning Commission to advise the City Council on the following topics: growth management; general land use and transportation planning; long range capital improvement plans; and other matters as directed by the City Council; and

WHEREAS, the Planning Commission is charged with holding hearings on and developing a comprehensive plan for the City and making recommendations to the City Council on amendments to the comprehensive plan, the zoning code and map, and other development regulations of the City; and

WHEREAS, VISION 2040 is a regional strategy for accommodating the 5 million people expected to live in the region by 2040. It is an integrated, long-range vision for maintaining a healthy region – promoting the well-being of people and communities, economic vitality, and a healthy environment; and

WHEREAS, according to VISION 2040 “…the development of centers throughout the region is at the heart of VISION 2040’s approach to growth management. Centers are locations characterized by compact, pedestrian-oriented development with a mix of different office, commercial, civic, entertainment, and residential uses. Concentrating growth in centers allows cities and other urban service providers to maximize the use of existing infrastructure, make more efficient and less costly investments in new infrastructure, and minimize the environmental impact of urban growth. Centers create improved accessibility and mobility for walking, biking, and transit, and as a result play a key transportation role in the region”; and

WHEREAS, VISION 2040’s Regional Growth Strategy calls for the City of University Place to accommodate 32,000 additional people and 5,000 additional jobs between 2000 and 2040; and

WHEREAS, because centers are targeted to accommodate significant growth, they are priority locations for local and regional infrastructure investments; and

WHEREAS, in recognition of the need to accommodate population and job growth and the City's ability to meet the criteria for designation as a Regional Growth Center, the City Council adopted Resolution No. 702 on September 17, 2002 thereby directing staff to submit an application for Regional Growth Center designation to the Puget Sound Regional Council; and

WHEREAS, the City submitted an application for designation to the Puget Sound Regional Council in October 2014, and was provisionally designated as a Regional Growth Center by the Executive Board on December 4, 2014 contingent on the development of a Subarea Plan for the designated center area; and

WHEREAS, in March 2016, the University Place City Council appointed members of the community to serve on a Regional Growth Center Subarea Plan Ad-Hoc Committee. The Ad-Hoc Committee met at key milestones of the planning process and helped to develop the vision and guiding principles for the Regional Growth Center, as well as the plan for land use and implementation actions; and
WHEREAS, in addition to advising City staff and the consultant team in the development of the Subarea Plan, the Ad-Hoc Committee supported community and stakeholder outreach during the planning process, including two separate series of community and stakeholder workshop sessions that were held in December 2016 and May 2017 to gather comments and input related to the Subarea Plan as it was developed; and

WHEREAS, City staff has worked closely with property owners, business representatives, and developers to identify and support potential opportunities for redevelopment; and

WHEREAS, the Planning Commission held study sessions on September 6 and 20, 2017 to review the draft Subarea Plan and identify issues that might require further work before recommending the Subarea Plan to the City Council; and

WHEREAS, the City submitted a Notice of Intent to Adopt to the Washington State Department of Commerce on September 22, 2017, which was issued to state agencies for a 60-day comment period, as required pursuant to RCW 36A.70 RCW, and no comments were received prior to Planning Commission review of this matter; and

WHEREAS, the City issued a SEPA Determination of Non-significance, Incorporation by Reference of Environmental Documents, and Adoption of Existing Environmental Documents pertaining to the proposed Subarea Plan on September 23, 2017 with a 14-day comment period, and no comments were received prior to Planning Commission review of this matter; and

WHEREAS, on September 23, 2017 the City published a public hearing notice in the Tacoma News Tribune, regarding an October 4, 2017 public hearing to be held by the Planning Commission on the proposed Subarea Plan; and

WHEREAS, the Planning Commission conducted a public hearing on October 4, 2017 to consider written and oral public comments on the draft Subarea Plan; and

WHEREAS, the University Place Comprehensive Plan Goal LU12 calls for designation of the Regional Growth Center. The Subarea Plan supports and relates to the following Comprehensive Plan policies under that goal:

Policy LU12A
Ensure that development standards, design guidelines, level of service standards, public facility plans, and funding strategies support focused development within University Place’s regional growth center.

Policy LU12B
Develop and implement a Subarea Plan for the regional growth center consistent with the Puget Sound Regional Council’s Regional Growth Center Plans Checklist. Focus subarea planning on three districts – the Town Center District, 27th Street Business District, and the Northeast Mixed Use District.

Policy LU12C
Develop Comprehensive Plan land use designations, goals, and policies to ensure consistency with the final vision articulated for each of the regional growth center’s districts through the subarea planning process.
Policy LU12D
Recognize the regional growth center as such in all relevant local, regional policy planning and programming forums. Through plans and implementation strategies, encourage and accommodate focused retail, office, and housing growth, and a broad array of complementary land uses. Prioritize capital investment funds to build the necessary infrastructure for this Center, including transportation, utilities, stormwater management, and parks. Also, emphasize support for transit use, pedestrians, and bicycling.

Policy LU12E
Leverage local, regional, state, and federal agency funding for needed public facilities and services within University Place’s regional growth center. Give priority to this center for transit service and improvements, as well as for other transportation projects that will increase mobility to, from, and within this center.

Policy LU12F
Periodically review development within the regional growth center to identify and resolve barriers to efficient and predictable permitting. Consider City preparation of SEPA review if issues can be addressed on an area-wide basis to resolve barriers.

Policy LU12G
Support effective administration of policies, regulations, and strategies to achieve the goals and objectives of the final regional growth center plan.

Policy LU12H
Apply and implement applicable Comprehensive Plan goals and policies on growth and development in the City’s regional growth center, including but not limited to those that address community character, population and employment growth, mixed uses, housing, transportation and utility infrastructure, and urban form.

Policy LU12I
Partner with the business community to promote vibrant, successful mixed use districts within the regional growth center. Collaborate with existing and prospective business owners in each district to develop district-centered plans. Identify a market position or focus for each district and develop marketing materials to promote the district and its businesses; and

WHEREAS, the Planning Commission finds the proposed University Place Regional Growth Center Subarea Plan will advance the public interest; and

WHEREAS, the Planning Commission finds that the Subarea Plan demonstrates conformity with the PSRC Regional Growth Center designation criteria by demonstrating compatibility with VISION 2040, meeting minimum required existing and planned activity levels and sufficient zoned development capacity, and demonstrating a commitment to center planning expectations.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, that it recommends to the Mayor, Mayor Pro Tem, and City Council approval of the proposed University Place Regional Growth Center Subarea Plan provided with this Resolution as Exhibit A.

Cliff Guisenberg, Chair
City of University Place Planning Commission
Enhancing Economic Vitality and Livability in the Heart of University Place

Business Districts in the Subarea:
- Town Center
- Northeast
- 27th Street
Acknowledgements

Ad-Hoc Advisory Committee Members
Yonn Dierwechter, Urban Studies Professor, University of Washington, Tacoma
Jared Kacirk, US Bank
Ron Kent, City of University Place Economic Development Advisory Commission
Patrick Lyon, Sea_Bre LLC
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Revised Fourth Draft—October 3, 2017

*Please note that a separate Executive Summary will be prepared for the version of the plan that goes before City Council for adoption in November 2017.*

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Introduction

University Place was incorporated in 1995 based on the community’s interest in shaping its own future as an independent City rather than continuing as unincorporated area of Pierce County. Citizens of the new University Place wanted to develop a strong sense of place, especially in the heart of the community. Shortly after completing the first comprehensive plan of 1998, the town center plan and design standards were adopted in 1999 to achieve this goal.

Responding to tax cuts that reduced revenues in 2002, the City engaged in an effort to jump start town center development, create the sense of place envisioned in the first town center plan, and generate sales tax revenue to support City services. Taking a proactive role, the City developed an Economic Development Strategic Action Plan, The City Council appointed an Economic Development Commission to implement the strategic action plan, which included developing an updated town center plan that provided incentives for development, including a SEPA Planned Action and increases in height and density. The plan envisioned infill development, road construction, and pedestrian improvements to achieve a vibrant, pedestrian friendly town center with residential uses, shops, and restaurants, anchored by City Hall, the library, and Homestead Park.

As implementation of the town center plan got underway, the City determined there was a need to recognize its regional role for shopping, entertainment, civic engagement, and other businesses and services and the corresponding need to plan for population and job growth. In 2003, Puget Sound Regional Council (PSRC), the metropolitan planning organization for the four-county area encompassing King, Pierce, Snohomish, and Kitsap Counties, began efforts to recognize regional growth centers. Regional growth centers are areas characterized by compact pedestrian-oriented development with a mix of uses, facilities, and services needed to accommodate population and employment growth.

Between 2003 and 2009, University Place played a key role in creating policies, criteria, and a process for designating regional growth centers in Pierce County. During this period, the City established a Regional Growth Center Ad-Hoc Advisory Committee to recommend boundaries for the City’s regional growth center and develop a vision, goals, and policies for its implementation. By 2009, the City had adopted the Regional Growth Center in its Comprehensive Plan and was designated as a candidate regional growth center by the County Council.

In 2014, the City of University Place applied to PSRC to officially designate a 481-acre commercial, multi-family, and mixed use area as a regional growth center. The area encompasses the Town Center District, 27th Street Business District, and the Northeast Mixed Use District in the heart of the community. Refer to Figure 1 for a map depicting these districts. “Provisional” status for the regional growth center was granted in December 2014.
In order to obtain non-provisional designation as a regional growth center, the City is required to adopt a subarea plan. Anticipating this requirement, the City Council identified the development of a Subarea Plan for the regional growth center as a 2015-2016 City Council goal. Further, Policy LU12B of the 2015 Comprehensive Plan update directed the City to develop and implement a subarea plan for the regional growth center, focusing on the three districts.

In 2016, the City retained Otak, an interdisciplinary consulting firm, teamed with Leland Consulting Group, in a competitive process to develop this subarea plan. The plan was formed in collaboration with City staff, the Ad-Hoc Advisory Committee, and with input from property owners, the community, and other stakeholders in workshops and meetings held during the planning process.

The University Place Regional Growth Center Subarea Plan will be instrumental in shaping future development in the three identified districts. The plan is consistent with the community’s vision and proposes to strengthen the identity, character, and economic development opportunities within each of the three districts through a flexible framework of redevelopment that can be adapted to market conditions. While the plan sets the course for the future, a specific list of actions will need to be completed in order to fully implement the plan. These actions include zoning amendments, development of specific design standards and provisions integrated into the code, updates to transportation and utility infrastructure improvement plans, planning for increased transit service, coordination with public services providers to address the needs of future population of the subarea as it grows, and other actions.

This subarea plan for the University Place Regional Growth Center is an important first step in establishing a clear vision and framework for how the city’s center can continue to grow and transform over time while also retaining the important qualities and assets that make the community a great place to live, work, and play. The subarea plan provides the capacity to increase the regional growth center’s population, housing, and employment. An estimated population of 28,064 to 43,024 residents, living in approximately 17,540 to 27,390 housing units could be accommodated in the subarea under the proposed zoning, and an estimated 8,300 people or more could be working in the subarea when fully redeveloped. This would result in approximately 75 to 105 activity units (AU) per acre in the 481-acre subarea. It should be noted that the time frame that full “build-out” of the proposed zoning (when all property would be redeveloped to the proposed building form) is unknown. 100 percent build-out may not occur given that growth and redevelopment is influenced by many factors (market and economic conditions over time, property owners’ interests and intentions, physical constraints, etc.). If full build-out were to occur, it would likely be many decades into the future before it is realized. However, even if only 75 percent of the build-out capacity for the subarea is reached, 57 to 80 AU per acre could be accommodated, exceeding the 45 AU/acre planning target for regional growth centers.
Figure 1—The Three Districts of the Subarea
Regional Planning Background

Regional planning for the four county (Pierce, King, Kitsap, and Snohomish) Puget Sound Region is administered through the Puget Sound Regional Council (PSRC). As the regional planning agency, the PSRC has specific responsibilities under federal and state law for growth management, transportation planning, and economic development and is responsible for forecasting population and employment growth for the region, and for monitoring and planning for the growth consistent with adopted plans and policies (https://www.psrc.org/our-work/regional-planning).

By the year 2040, 5 million people are expected to live in the Puget Sound Region. This is an additional 1 million above today’s regional population of just over 4 million people. The regional growth strategy for the region, VISION 2040 (https://www.psrc.org/our-work/vision-2040), calls for focusing new housing, jobs, and development in the region’s urban growth area and especially within regional growth centers. VISION 2040 also aims to keep rural areas, farmlands, forests, and other resource lands healthy and thriving. Focusing growth in urban areas and reducing sprawl helps to protect these lands.

According to PSRC, “regional growth centers are relatively small areas of compact development where housing, employment, shopping and other activities are in close proximity.” Centers are at the core of VISION 2040—the Overarching Goal in the Development Patterns chapter of VISION 2040 summarizes at a high level the region’s approach to managing growth, “The region will focus growth within already urbanized areas to create walkable, compact, and transit-oriented communities that maintain unique local character. Centers will continue to be a focus of development.” Figure 2 shows the locations of centers throughout the region.

The PSRC differentiates regional growth centers from other local centers by identifying the regional centers as target areas for growth. A key goal of Vision 2040 is focusing development in these centers and attracting an increased portion of regional housing and jobs growth in these urban areas where existing roads, utilities, and services are already available to serve the needs of a growing number of residents and employees. This helps to ensure the effective and efficient development of infrastructure and related public expenditures.

Another key role of the PSRC is to help communities secure federal funding for transportation projects to receive over $240 million in transportation funding each year. The PSRC develops the region’s long-range transportation plan, Transportation 2040, designed to improve mobility, provide transportation choices, move the region’s freight, and support the region’s economy and environment. Regional growth centers receive priority for these funds.

For regional planning purposes, “activity units” are referenced to discern varying densities of growth. Activity units are based on population (one person is one activity unit) and employment (one job is one activity unit). PSRC indicates that the 481-acre University Place Regional Growth Center currently has 19.2 activity units per gross acre, exceeding the 18 activity units/acre required to be considered
for designation. PSRC also shows that University Place grew by 648 people and added 243 jobs between 2000 and 2014. For more about population, housing, and employment statistics in University Place, refer to the Demographics section of this plan.

Regional growth centers are required to allow sufficient capacity through zoning to support a minimum target activity level of 45 activity units/acre. As long as the adopted subarea plan provides sufficient land use capacity in the designated center to ultimately reach or exceed 45 activity units/acre at full build-out, a 20-year growth target for the center that falls below that level of growth is acceptable if the plan explicitly acknowledges the long-range densities planned are consistent with the regional centers designation criteria. Zoning capacity may allow levels of development higher than the 45-activity unit/acre target.

Access to transit is an important factor in the successful function of regional growth centers. PSRC has analyzed that 87 percent of the University Place Regional Growth Center is located within the walkshed (1/4 mile) of major transit routes, although the report also noted that the center is not currently served by high capacity transit (such as bus rapid transit/BRT). Local and regional bus routes currently serve the center, and Sound Transit is planning to extend its Tacoma Link light rail service to Tacoma Community College just north of the subarea as part of the ST3 package of improvements. This could be a precursor to extending high capacity bus rapid transit and/or express bus lines through University Place to connect with light rail in the future.

**Anticipated Benefits of Implementing the Subarea Plan**

Implementing this Subarea Plan will result in multiple benefits for current and future residents, employees, property and business owners, and visitors of University Place. Benefits to the subarea, as well as to the region overall are anticipated, including the following.

- Capacity to accommodate regional growth in population, housing, and employment, consistent with the region’s 2040 Vision and growth targets
- Enhancements to district and neighborhood character as areas redevelop over time
- Increases in the variety of housing and employment opportunities in the community, including housing affordable to a broad range of residents
- Improved economic vibrancy due to increased business opportunities
- Service and environmental benefits associated with infrastructure improvements, such as better stormwater runoff management and treatment
- Better connectivity throughout the subarea and community as a result of multimodal transportation improvements and future implementation of express bus service connecting to the region’s high capacity transit system
- Improved livability and health for residents, with more community amenities and services as the population grows and more opportunities to walk and bicycle, contributing to healthy, active lifestyles
Figure 2—Map of Puget Sound Region Centers
Planning Process
The subarea plan was created over a year-long planning process that included close coordination with City staff and an appointed ad-hoc advisory committee, as well as workshop sessions and meetings with stakeholder groups and the community. Figure 3 shows the subarea planning process and key milestones.

Ad-Hoc Advisory Committee
In March 2016, the University Place City Council appointed members of the community who applied for, and expressed interest in, serving on the regional growth center subarea plan ad-hoc committee. The committee met at key milestones of the planning process and helped to develop the vision and guiding principles for the regional growth center, as well as the plan for land use and implementation actions. In addition to advising City staff and the consultant team in the development of the subarea plan, the committee also supported community and stakeholder outreach during the planning process.

Community and Stakeholder Workshops
In December 2016 and May 2017, two separate series of community and stakeholder workshop sessions were held to gather comments and input related to the subarea plan as it was developed. The December 2016 workshops focused on the vision and guiding principles for the subarea, as well as possible frameworks for growth and economic development. The May 2017 workshop sessions presented growth scenarios, zoning concepts, and illustrative renderings showing how the subarea might look as it redevelops over time. Summaries of these workshop series are provided in the Appendix.

Collaborative Approach to Working with Existing Property Owners
City staff has been working closely with property owners, business representatives, and developers to identify and support potential opportunities for redevelopment. Opportunity sites will continue to be identified and supported by the City as Plan implementation proceeds. It is important to note that the ideas and concepts shown in this Plan are theoretical. While the Plan provides a vision and land use and zoning framework, development and redevelopment will only occur if private property owners are interested and willing. Ultimately, it will be the property owners and residents of University Place who transform this vision into reality. City staff will continue to support property owners by advising them on development potential, potential developers to contact, design provisions and regulatory requirements, and potential opportunities to aggregate properties with interested neighbors for redevelopment.
Vision and Guiding Principles for the Subarea

VISION 2040 seeks to create a region of diverse, economically and environmentally healthy communities that are framed by open space and connected by a high-quality, efficient transportation system. The vision for the University Place Regional Growth Center is presented below, along with supporting guiding principles. This vision is consistent with and reinforces the region’s VISION 2040 growth strategy.

Vision Statement

The University Place Regional Growth Center will continue to transform into a vibrant, walkable regional destination with dense mixed use and transit-oriented development in neighborhoods that offer a variety of housing and employment opportunities, shopping and services, culture, arts, entertainment, and parks. The Plan provides flexibility and capacity for redevelopment and development to occur over time while retaining the character and livability of the community that make it a desirable place to live, work, and play. Development of new businesses and retention of existing businesses, as well as other growth and investment, will broaden employment opportunities.
and enhance economic vitality, fostering shared prosperity in the community that will benefit existing and future residents in numerous ways.

The subarea’s three distinctive districts will take shape over time as:

- **Town Center** will continue to function as the heart of the community and University Place’s civic center with a high concentration of mixed-use buildings (commercial and multi-family residential), public services, offices, and other uses.

- **27th Street Business District** will continue to transform into a smaller village setting than the Town Center, with neighborhood-serving local businesses and new multi-family residential and retail uses filling in over time in a highly walkable redevelopment pattern as the area transforms.

- **Northeast Mixed Use District** will continue to focus on building new employment opportunities in the community, as well as providing entertainment uses and businesses that serve surrounding neighborhoods as well as the broader region. There could be an opportunity to integrate forms of live/work housing, studios, lofts, and other types of residences as influenced by market forces.

**Guiding Principles for the Regional Growth Center**

- Enhance pedestrian connectivity and walkability throughout the regional growth center and within each district, defining key connections and access needs to be provided through redevelopment.

- Create a framework of walkable neighborhoods and districts within the overall regional growth center, oriented around 5 to 10 minute walk times and increased access to transit.

- Work with Pierce Transit and other local partners to increase transit service in the subarea to serve the growing population and employment demands over time, eventually resulting in a viable plan for extension of bus rapid transit (high capacity transit) through the subarea that will connect to light rail transit in the I-5 corridor.

- Work with utility and public service providers as partners to proactively serve growth and redevelopment in the subarea—this includes utility services such as water, sanitary sewer, stormwater management, electricity, gas, and communications, as well as public services such as schools, parks and open space, human services, arts and culture, and health services.

- Improve bicycling mobility and safety throughout the regional growth center both for intra-neighborhood transportation and for increased access to transit.

- Provide diverse housing opportunities and choices, affordable to residents of varying incomes.

- Maintain a sense of human scale with redevelopment through attention to architectural character and strong urban design.
• Continue to create a distinctive sense of place through attention to aesthetic and architectural detail and conformance to design standards within the three districts as they transform and grow.
• Foster economic development that strengthens businesses and increases employment opportunities.
• Provide additional neighborhood parks and recreational opportunities to serve the growing number of residents and employees.
• Strengthen community health through access to fresh foods, as well as safe walking and bicycling routes and trails.
• Promote a strong sense of livability and community through City and community-supported policies and programs.
• Protect and enhance surrounding single family and residential neighborhoods and enhance walking and bicycling access between these areas and the regional growth center.
• Preserve green (landscape, open space, trees, etc.) in the heart of the community and neighborhoods that surround the regional growth center.
• Amend comprehensive plan and zoning designations to be consistent with the adopted subarea plan for the regional growth center.
• Continue to foster strong partnerships and cooperation with supporting agencies involved in serving citizens of University Place, as well as surrounding communities and entities such as the Cities of Fircrest and Tacoma and Tacoma Community College.

Related Comprehensive Plan Policies
University Place Comprehensive Plan Goal LU12 calls for designation of the regional growth center. The Subarea Plan supports and relates to the following Comprehensive Plan policies under that goal:

Policy LU12A
Ensure that development standards, design guidelines, level of service standards, public facility plans, and funding strategies support focused development within University Place’s regional growth center.

Policy LU12B
Develop and implement a Subarea Plan for the regional growth center consistent with the Puget Sound Regional Council’s Regional Growth Center Plans Checklist. Focus subarea planning on three districts – the Town Center District, 27th Street Business District, and the Northeast Mixed Use District.

Policy LU12C
Develop Comprehensive Plan land use designations, goals, and policies to ensure consistency with the final vision articulated for each of the regional growth center’s districts through the subarea planning process...
Policy LU12D
Recognize the regional growth center as such in all relevant local, regional policy planning and programming forums. Through plans and implementation strategies, encourage and accommodate focused retail, office, and housing growth, and a broad array of complementary land uses. Prioritize capital investment funds to build the necessary infrastructure for this Center, including transportation, utilities, stormwater management, and parks. Also, emphasize support for transit use, pedestrians, and bicycling.

Policy LU12E
Leverage local, regional, state, and federal agency funding for needed public facilities and services within University Place’s regional growth center. Give priority to this center for transit service and improvements, as well as for other transportation projects that will increase mobility to, from, and within this center.

Policy LU12F
Periodically review development within the regional growth center to identify and resolve barriers to efficient and predictable permitting. Consider City preparation of SEPA review if issues can be addressed on an area-wide basis to resolve barriers.

Policy LU12G
Support effective administration of policies, regulations, and strategies to achieve the goals and objectives of the final regional growth center plan.

Policy LU12H
Apply and implement applicable Comprehensive Plan goals and policies on growth and development in the City’s regional growth center, including but not limited to those that address community character, population and employment growth, mixed uses, housing, transportation and utility infrastructure, and urban form.

Policy LU12I
Partner with the business community to promote vibrant, successful mixed use districts within the regional growth center. Collaborate with existing and prospective business owners in each district to develop district-centered plans. Identify a market position or focus for each district and develop marketing materials to promote the district and its businesses.

Refer to the Appendix for a listing of other Comprehensive Plan policies supported by this subarea plan.
Existing and Forecasted Population, Households, and Employment in the City and the Subarea

Existing and forecasted population, households, and employment for the City of University Place and for the subarea are presented below. According to the 2010 Census, University Place had a population of 31,144, and PSRC data shows that the city’s population grew to 31,720 by 2015, adding 576 people for a growth rate of about 1.8 percent for the five-year period. During the last two years, additional multi-family and single family housing units have added new residents to the city. The statistics below for population, households, and jobs in University Place for 2015 are from the latest available data from PSRC. The Washington State Office of Financial Management reports that for 2017, University Place has a population of 32,610 residents and 14,030 households. Comparing these numbers to the 2015 statistics shows the amount of growth that has occurred in the City in the two-year period. Forecasted population, housing, and employment levels by PSRC, along with the existing (2015) levels are shown in Figures 4, 5, and 6 below.

Figure 4—City of University Place Population (for the City Overall)

<table>
<thead>
<tr>
<th>Existing (PSRC)</th>
<th>Forecasted (PSRC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015 31,720</td>
<td>2025 38,265</td>
</tr>
<tr>
<td></td>
<td>2030 41,956</td>
</tr>
<tr>
<td></td>
<td>2035 47,207</td>
</tr>
<tr>
<td></td>
<td>2040 53,990</td>
</tr>
</tbody>
</table>

Source: Puget Sound Regional Council

Figure 5—City of University Place Households (for the City Overall)

<table>
<thead>
<tr>
<th>Existing</th>
<th>Forecasted (PSRC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015 12,779</td>
<td>2025 16,286</td>
</tr>
<tr>
<td></td>
<td>2030 17,887</td>
</tr>
<tr>
<td></td>
<td>2035 20,200</td>
</tr>
<tr>
<td></td>
<td>2040 23,045</td>
</tr>
</tbody>
</table>

Source: Puget Sound Regional Council

Figure 6—City of University Place Jobs (for the City Overall)

<table>
<thead>
<tr>
<th>Existing (6,694 per 2010 Census)</th>
<th>Forecasted (PSRC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015 6,319</td>
<td>2025 7,899</td>
</tr>
<tr>
<td></td>
<td>2030 8,325</td>
</tr>
<tr>
<td></td>
<td>2035 9,322</td>
</tr>
<tr>
<td></td>
<td>2040 10,708</td>
</tr>
</tbody>
</table>

Source: Puget Sound Regional Council

Given these forecasts by the PSRC, by 2040 University Place is targeted to grow by an additional 22,270 people in 10,266 households and to add 4,389 jobs. While the 481-acre subarea takes up about 8.9 percent of the total land area (5,478 acres) of the City, most of the employment uses and the highest density residential areas are contained in the subarea. As such, it is anticipated that most of this forecasted growth will occur in the subarea districts of Town Center, 27th Street, and Northeast. Given the current estimate of population, households, and jobs in the subarea shown in Figure 7,
these forecasts would represent substantial increases within the next 23 years by 2040. While these growth levels may not occur by 2040, the Subarea Plan represents a long-term vision for University Place, and the proposed zoning capacity for the subarea will support the forecasted growth targets and beyond, as described later in this Subarea Plan.

**Figure 7—Current Population, Households, and Jobs in the Subarea**

<table>
<thead>
<tr>
<th>Subarea Population (2014)</th>
<th>5,539</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subarea Households (2014)</td>
<td>3,558</td>
</tr>
<tr>
<td>Subarea Jobs (2014)</td>
<td>2,927</td>
</tr>
</tbody>
</table>

Source: 2014 University Place Regional Growth Center Designation Report

For additional University Place demographic information, refer to the PSRC website, which posts the American Community Survey 5-Year Estimates from the US Census Bureau (https://www.psrc.org/sites/default/files/acsprof11-15_pl_universityplace.pdf) and the City of University Place Comprehensive Plan.

**Anticipated Growth Rates and Alignment with Growth Projections**

Between 2000 and 2010, the City of University Place overall population grew from 29,933 to 31,144, a 4 percent increase over the decade or an average annual growth rate of just less than 0.4 percent. The estimated 2016 population of the city is 33,288, indicating a six-year growth rate from 2010 of 6.9 percent or slightly above 1.1 percent annually.

The increase in average annual growth over the last six years is consistent with Town Center redevelopment projects and other housing development that is drawing new residents to the community. With adoption of the proposed subarea plan, it is anticipated that employment opportunities will continue to increase with redevelopment.

After decades of little change, employment levels have seen some growth in recent years, as a result of new commercial and retail establishments, such as the Whole Foods market. The community seeks to increase its economic vitality and the availability of employment opportunities within the community for residents, helping to better balance the ratio of jobs to housing.

The City of University Place Comprehensive Plan, adopted in 2015, includes the following information pertaining to growth targets for population, housing, and employment:

- **VISION 2040** regional growth targets call for the City to accommodate a population of 52,000, and employment of 11,450 jobs by 2040.
In 2011, Pierce County adopted population and housing allocations for 2030 based on regional geographies established in VISION 2040, Washington State Office of Financial Management (OFM) projections, actual growth trends, and regional, county, and city planning policies. These allocations call for the City of University Place to accommodate 8,100 additional people and 5,250 new housing units between 2008 and 2030, for a total population of 39,540 in 18,698 housing units.

According to forecasts by the PSRC, by 2040 University Place is targeted to grow by an additional 22,270 people in 10,266 households and to add 4,389 jobs. Most of this growth would be expected to occur within the regional growth center subarea. The proposed subarea plan provides for this capacity and more, and growth would be expected to continue beyond 2040. While there may be differences between the Pierce County and PSRC allocations for University Place, the PSRC 2040 allocations are referenced by this plan in terms of ensuring that available zoning capacity can support the prescribed growth targets.

**Existing Characteristics of the Subarea**

University Place is a growing community located between Puget Sound to the west and the City of Tacoma to the north and east. The small town of Fircrest is situated between Tacoma and a portion of University Place at the northeast city limits, and the cities of Lakewood and Steilacoom are located to the south. Existing physical characteristics and attributes of the subarea and the three districts within the subarea are described below and illustrated in the maps on the following pages.

The subarea, which encompasses the Town Center, 27th Street Business District, and Northeast Mixed Use District, is located in the core of University Place, and mirrors the general characteristics of the community overall.

**History**

Prior to settlement by Euro-Americans, Native American tribes such as the Steilacoom, Nisqually, Squaxin, Puyallup, and Muckleshoot lived in the Puget Sound lowlands of the area. By the mid-1800s, the lumber industry, railroad development, and mining transformed the area, and settlers began building homes and opening local businesses. In the early 1890s, the area was chosen as a potential location for the University of Puget Sound, but due to financial difficulties the college was built in another location. Ironically, there is no university in University Place even though the area continues to be known as University Place to this day. In 1995, University Place incorporated and has transitioned from being a suburban community of unincorporated Pierce County to a growing community with its own regional center over the last twenty years. With the development of the Chambers Creek properties and Chambers Bay Golf Course and the emergence of the Town Center bringing more businesses to the community in recent years, University Place is poised for a vibrant future.
Topography and Views
Rolling topography of mostly western-facing slopes exists throughout the subarea, affording some views to Puget Sound and the Tacoma Narrows Bridge, particularly in the vicinity of 27th Street corridor. Challenges created by the rolling topographic conditions related to development and walkability are often addressed through creative architectural solutions (such as tuck-under parking, or parking located on the low side of sites). Existing topography is shown in Figure 8.

Hydrology and Surface Water Management
Part of the Chambers—Clover Creek Watershed Resource Inventory Area 12 (WRIA 12), University Place is located in portions of two watersheds, the Chambers Bay and the Tacoma West watersheds. The City of University Place has adopted the King County Surface Water Design Manual (KCSWDM) as its standard for development and level of service.

Land Use and Development
All lands within the subarea have been previously developed in a mix of commercial/retail/business, mixed use, light industry, multi-family, and some single family uses including homes that have been converted to businesses. With implementation of the Town Center Master Plan, University Place is in the midst of redevelopment, with new businesses and multi-family buildings emerging in the heart of the community. Existing zoning classifications in the subarea are shown in Figure 9.

Existing Character of the Subarea and Three Districts
The subarea character varies throughout; each of the three districts in the subarea has its own unique character, as described further below. The existing urban framework of the subarea includes gateways, intersection hubs, and other key features that help to define entrances into the community, transitions between districts, and key nodes of activity.

Town Center
Residents of University Place have been planning and working to implement a true town center for their community since incorporation, and in recent years, the vision has become reality with several redevelopment projects including Whole Foods grocery, smaller retail spaces, a branch of the Pierce County Library system, the police station, the headquarters of West Pierce Fire and Rescue, the SEB-developed Clearview 100 mixed use building and the Latitude 47 mixed use building. Additional multi-family over commercial/active use at the ground floor (mixed use buildings) will be constructed in the near future. The Town Center also includes public gathering space and reinforces the sense of a “main street” along Bridgeport Way, in the heart of the community. The Town Center has been the recipient of most new commercial and multifamily development since 2010, with five buildings totaling over 400,000 square feet, reflecting the district’s “market readiness.” Further, this district currently possesses the tallest buildings of all three districts.
Figure 8—Existing Topography and Walkable Distances

Contour lines of the topography; the subarea generally slopes from east to west, toward Puget Sound; circles represent walkable ¼ mile (five minute) radius distances along key corridors to provide a sense of scale.
Figure 9—Existing Zoning in the Subarea
The Town Center is the commercial hub of the community, and also serves regional shopping needs with destinations such as Whole Foods, Trader Joe’s, and other popular businesses. The Bridgeport Way and 27th Street West commercial node serves as a de-facto gateway to the Town Center and more intensive commercial uses in this area (even though the intersection is formally located in the 27th Street Business District). With redevelopment, there are newer buildings and emerging architectural styles that contribute positively to the district’s character and identity. Mixed use buildings located in the civic core are typically wood frame over concrete podium construction, varying from four to five upper levels over one to two podium levels, and some buildings also have below grade parking levels. The civic core also includes the library, fire station, City Hall campus, and other public uses. Dental and medical clinics exist throughout the area. Intermixed with new development along Bridgeport Way, there are pockets of older homes and lower scale office buildings and businesses. Many of the homes have transitioned into home-based businesses or simply conversion to full business use. There are also a number of commercial strip malls and larger businesses surrounded by large surface parking and setback from Bridgeport Way—forms of development that are inconsistent with new Town Center design standards, but grandfathered in place until such time as property owners are interested and willing in redevelopment. The Town Center is emerging as a popular place to live for singles, couples, and families given its central location to University Place schools.

Natural assets in the Town Center include the wonderful Homestead Park with abundant groves of rhododendrons and walking trails, as well as Adriana Hess Park, and other open space areas, along with a wetland complex bordering the northeast area of the district. Newly constructed pedestrian and bicycle infrastructure, along with signalized intersections, transit stops and on-street parking in some locations have changed the character of Bridgeport Way into a more multimodal arterial, yet still a heavily travelled thoroughfare of the city and region. Street trees, decorative street lights, signing, and other amenities have been installed to enhance the character and function of the Town Center and the community as a whole.

27th Street Business District
As the home of over 130 businesses in University Place, the 27th Street district provides a link to the area’s past, having been a major commercial corridor for the region in previous years. This district nostalgically reaches back to the community’s past with many businesses that have long been popular to local and area residents. Although still a major east/west thoroughfare, the area has a home-town feel, a bit removed from the hustle and bustle of Bridgeport Way. The 27th Street Business District Association has been formed to encourage owners of businesses located along 27th Street to address common concerns and affect positive change for an economically vibrant business district that encourages neighborhood friendly businesses. The 27th Street Business District has the smallest average parcel sizes of all three sub-districts at 0.5 acres across all land uses, and 1.6 across commercial and multifamily. Not surprisingly, then, the district also possesses the oldest buildings and has not seen any new development since 2010.
The intersection of Bridgeport Way and 27th Street is the primary commercial hub of the district, while the 27th Street corridor is a busy reach of activity with restaurants, pharmacies, gas stations, a grocery store, and many other businesses. Multifamily and single family housing also exists along the corridor, transitioning to more predominant single family use along connecting streets running north and south from 27th Street. Newly constructed pedestrian and bicycle infrastructure have enhanced the ability to get around other than by motor vehicle in the district. While full improvement of the corridor is still pending, new sidewalks, bicycle lanes, street trees, and signalized crosswalks at intersections have significantly improved connectivity and mobility in the district.

**Northeast Mixed Use District**

A place of great opportunity, the Northeast Mixed Use District contains a mix of different properties and some areas of older light industrial and business uses that are either stable or in transition, as well as areas of new businesses and development. There has been a focus on entertainment in this district with the bowling alley, movie theater, restaurants, and a mix of long-time businesses and office buildings, light industry properties, and emerging businesses, along with older and newer multi-family developments. Several large parcels, portions of which are vacant and/or underutilized, are poised for redevelopment. Many properties have a high percentage of large unused surface parking area. Examples of existing uses include various businesses and establishments, the plant nursery, storage units and storage yards, and strip commercial centers. Most residential use (multi-family and single family) is located off the main corridors, on adjoining streets to the district. Several opportunity properties have been identified in this portion of the subarea as a result of their perceived development potential.

Tacoma Community College, located just to the north of this district is an important asset under both existing conditions and with future redevelopment. This district also benefits from new pedestrian and bicycle infrastructure—new sidewalks, bike lanes, street trees, and intersection improvements, which help with connectivity within the district and in getting people to and from places such as the community college. Sound Transit’s ST3 plan calls for extending Tacoma Link light rail service to the college transit center in the future. Also, redevelopment activity in Fircrest, located east of this district, could influence future land uses, and the City of University Place should continue to coordinate with the Cities of Fircrest and Tacoma and Tacoma Community College as this plan is implemented over time.

**District Land Use Types by Acreage and Land Use Characteristics**

As shown in Figure 10 on the next page, the Town Center District has the highest parcel acreage, and is mostly characterized by commercial and multifamily development. The 27th Street Business District is predominately commercial development, as is the Northeast Mixed Use District, which also contains almost all industrial land uses in the regional center. Figure 11 summarizes other land use characteristics in the three districts of the subarea.
Figure 10—Parcel Acreage by Land Use, University Place Regional Center Districts

![Bar chart showing parcel acreage by land use for Town Center, 27th Street, and Northeast districts.]

Source: Pierce County Assessor & Leland Consulting Group

Figure 11—Existing Land Use Characteristics, University Place Regional Center Districts

<table>
<thead>
<tr>
<th></th>
<th>27th Street</th>
<th>Northeast</th>
<th>Town Center</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>All Land Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td># of Parcels (all land uses)</td>
<td>162</td>
<td>92</td>
<td>233</td>
</tr>
<tr>
<td>Avg. Parcel Size (all land uses)</td>
<td>0.5</td>
<td>1.2</td>
<td>0.9</td>
</tr>
<tr>
<td><strong>Commercial and Multifamily</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Properties</td>
<td>24</td>
<td>28</td>
<td>49</td>
</tr>
<tr>
<td>Avg. Parcel Acreage</td>
<td>1.6</td>
<td>2.3</td>
<td>2.7</td>
</tr>
<tr>
<td>Avg. Building Size (SF)</td>
<td>33,000</td>
<td>39,000</td>
<td>47,000</td>
</tr>
<tr>
<td>Tallest Bldg (# Floors)</td>
<td>5</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Avg. Number of Floors</td>
<td>1.9</td>
<td>1.6</td>
<td>2.3</td>
</tr>
<tr>
<td><strong>New Development</strong> (Comm/MFR)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Bldgs. Since 2000</td>
<td>4</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>Square Feet</td>
<td>74,000</td>
<td>28,000</td>
<td>607,000</td>
</tr>
<tr>
<td>Total Bldgs. Since 2010</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Square Feet</td>
<td>0</td>
<td>0</td>
<td>442,000</td>
</tr>
</tbody>
</table>

Source: Pierce County Assessor, Costar & Leland Consulting Group
Transportation

Primary streets within the subarea include Bridgeport Way (between Olympus Drive and the 5200 block), 27th Street (between Mildred Street and Grandview Drive), and Mildred Street (between 19th and 27th). These primary arterials are in various states of improvement, with much of the subarea now completed to current standards with continuous sidewalks and bike lanes. While some segments are still in need of improvement, expansion of street rights-of-way to add lanes is not planned or anticipated. Capacity won't be increased through widening or adding lanes, but rather by improvements to intersections and also by increasing travel by other modes (transit, walking, bicycling, car share, etc.). Connecting collector and local streets are generally in good condition for vehicle use, but often lack sidewalks and bicycle facilities. Due to the suburban patterns of development in past decades, there is a general lack of connectivity between neighborhoods and the Town Center (as a result of dead-end cul-de-sacs and non-connecting streets). Transit service is provided by Pierce Transit and consists of three primary routes serving the community. Sound Transit’s long range plans call for extending light rail via Tacoma Link to the Tacoma Community College Transit Center, just northeast of the subarea. It is anticipated that high capacity transit such as bus rapid transit and/or express service could be extended through University Place to serve the regional growth center and connect to the light rail system in the future with increases in population/households and employment in the subarea.

Utilities

Utility services within the subarea are managed by a variety of service providers:

- Surface water management—City of University Place
- Wastewater/sewer—Pierce County Public Works and Utilities, and City of Fircrest
- Water—City of Tacoma Public Utilities Water Division
- Power—City of Tacoma Public Utilities Power Division
- Communications—Various Providers

Schools

K-12 grades are served by the University Place School District. Tacoma Community College is located just to the northeast of the subarea, and the Tacoma Branch of the University of Washington is located in Downtown Tacoma. The School District has been actively engaged during the subarea planning process.

Parks and Open Space

Parks and open space facilities are provided by the City of University Place, University Place School District, and Pierce County, as well as the private sector in various neighborhoods and residential developments. The City recently updated its Parks, Recreation and Open Space Plan (PROS) in 2014.
Other Public and Civic Services
Fire and emergency medical services are provided by West Pierce Fire and Rescue. Police services are provided by Pierce County via a City of University Place contract. Court services are provided by the City of Lakewood via a City of University Place contract. Library services are provided by the Pierce County Library System with a branch library located in Town Center. Municipal facilities are provided by the City. The Tacoma-Pierce County Health Department provides a wide array of services and benefits to the community including health and wellness outreach, as well as information about air quality and environmental conditions, fire and emergency preparedness, and other topics.

Locations of parks, schools, civic centers, and other public services are shown in Figure 12. These locations, along with shopping centers, and other destinations are important places in the subarea that should be well connected to sidewalks/walkable routes, bicycle ways, and transit service.

Real Estate Market Evaluation
Leland Consulting Group (LCG) analyzed key demographic characteristics and real estate market conditions to support the planning process for the University Place Regional Growth Center Subarea Plan. The national and regional context, demographics (regional population growth patterns, household incomes, etc.), and past and projected future types of development are summarized below and on the following pages.

Regional and National Context
Understanding the potential for future development and “placemaking” first requires an understanding of the regional context, in this case, the Puget Sound Region (also known as the Seattle-Tacoma-Bellevue Metropolitan Statistical Area or MSA).

In addition to accommodating 1 million more residents in the region by 2040, PSRC also forecasts the addition of 850,000 additional jobs. The regional growth strategy calls for most of these residents and jobs to be accommodated within centers, and in particular there is a strong interest in bringing more balance in housing and jobs throughout centers and communities of the region, to reduce commute trips and traffic generated regionally and in doing so enhance citizens’ quality of life while also improving the environment.

While other cities and regions grow slowly, or even experience job and population losses, Puget Sound is thriving and as a result, growing more rapidly. This rapid growth creates planning challenges (congestion, rising home prices, pace of change, etc.), but also provides opportunities—including the potential for growth and economic revitalization in regional centers such as University Place and other locations.
Figure 12—Parks, Schools, Civic Centers, and Other Public Services
Real estate and economic development literature typically point to the following regional attributes, which should drive ongoing economic vitality for years in the future:

- A global metropolis, with strong economic ties to the Pacific Rim and North America;
- World-class technology, media, and professional service industries, and related job growth;
- Diverse industry base, which includes the above sectors as well as aerospace, manufacturing, and trade;
- Quality of place, including the built environment and natural surroundings;
- Welcoming culture;
- Growing population base, in response to the above conditions; and
- Supply constraints such as water, mountains, and undevelopable forests and wetlands, which means that growth can only be accommodated in some locations.

Figure 13 below shows some of the key findings related to preferences of household residents and their willingness to move to other locations. The figure shows the features they are looking for in a new community (from the “America in 2013” survey conducted by the Urban Land Institute (ULI), a national real estate and urban planning organization). When the ULI asked households planning to move what they are looking for in their next neighborhood, respondents placed the highest priority on close proximity to shops, restaurants, and offices; and a shorter commute. Public transit is also a priority for more than 50 percent of respondents. Note that some households did not prioritize these neighborhood attributes, and may prefer (for example) rural residences. Nonetheless, the effect of these preferences can be seen in the development patterns of the last decade, as many urban and mixed use neighborhoods have thrived.

Figure 13—Household Characteristic Preferences among People Who Will Move

Source: America in 2013, Urban Land Institute
Figure 14 below shows the rate of population growth as a function of distance to city halls, for large metro areas nationwide. The extraordinarily rapid population growth in urban locations, typically near city halls, reflects the neighborhood preferences shown above. At least in the areas surveyed by CBRE, population declined slightly in “middle” areas, and grew somewhat in areas far from city hall. The Regional Center can attempt to continue to take advantage of this urban growth trend.

**Figure 14—Population Growth, 2000 to 2010, Large Metro Areas Nationwide**

![Graph showing population growth](source: U.S. Urbanization Trends, CBRE, 2015; U.S. Census Bureau)

Figure 15 shows the population growth rates in Puget Sound’s designated “regional growth centers” between 2000 and 2010. A key takeaway of this analysis is that while most regional centers grew at a strong rate (25 percent over 10 years, on average), the growth rate varies widely.

Populations in many centers grew by 10 percent or less over the time period, while a small number of centers experienced explosive growth (e.g., Redmond Overlake, Bellevue, and South Lake Union). Development in most or all of the very high growth centers has been driven by technology, media, and professional services employment, which drives demand for new office space, housing, and related services.

Figure 16 shows the share of regional growth that PSRC projects will be “captured” by various types geographical areas including cities, unincorporated areas, and rural areas. University Place is defined as a “larger city,” a category that is expected to capture 14 percent of all population growth throughout the region. Larger cities, therefore, are expected to grow, but are not expected to capture as large a share of all growth as “metro” or “core” cities. Since University Place as a whole can be expected to grow, the Regional Center, in turn can capture some of this growth.
Figure 15—Population Change in Centers, 2000 to 2010

Source: PSRC: http://www.psrc.org/growth/centers/
Figure 16—Share of Regional Growth, 2010 to 2040

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>metro cities</td>
<td>37%</td>
</tr>
<tr>
<td>core cities</td>
<td>25%</td>
</tr>
<tr>
<td>larger cities (UP)</td>
<td>14%</td>
</tr>
<tr>
<td>unincorporated urban growth areas</td>
<td>10%</td>
</tr>
<tr>
<td>small cities</td>
<td>8%</td>
</tr>
<tr>
<td>rural areas</td>
<td>6%</td>
</tr>
</tbody>
</table>

Source: Vision 2040, PSRC

Figure 17 shows how the age categories of the region’s residents are expected to change in the next few decades. The most striking change is in the senior population, aged 65+. The share of this age group, as a percent of all households, is expected to almost double—from about 10 percent in 2010 to nearly 20 percent in 2040. Note as well that this represents a growing senior share of a growing total population. It will be important to plan for older households, in regional centers and other environments. Studies show that while many 65+ households will “age in place,” or move outside their current region, the overall residential trend for older households will be towards smaller units and more urban settings, which offer much lower maintenance, access to family and friends, nearby services, and cultural stimulation.

The Regional Growth Center is a good candidate to accommodate 65+ residents. The Regional Center Plan should devote specific consideration to the types of improvements and programs that might make the Regional Center more attractive and hospitable to older households, as this will be one of the most, if not the most, significant demographic change in the next two decades. For example, a range of accessibility improvements may be necessary to accommodate this population.
Generational Trends: Baby Boomers

Surveys by the ULI and other groups indicate that the following are characteristics and preferences of the Baby Boomer generation as they transition into the 65+ age category. Most favor mixed use places that combine a mix of urban and suburban characteristics, like found in the University Place Regional Growth Center.

- **Not winding down—rewinding.** Many boomers are not looking to retire in the traditional sense, but find new, often part-time sources of income and diversion. Many plan to continue working indefinitely, but on their own terms.

- **Living longer, staying more active, mentally and physically.** Locations near university campuses—where seniors can walk and attend seminars, classes, and performances—have become one popular location for senior housing.

- **“Lock and leave”** residences in safe and secure communities where they don't have to worry about high levels of maintenance.

- **Neighborhood centers are in; retirement communities focused around golf are out.** This may not be the case in all locales—particularly given University Place’s proximity to the world class
Chambers Bay course—however, mixed use town centers have overtaken the previous model of retirement communities focused around golf courses as the most desirable “neighborhood amenity” for retirees.

- **Urbanity and activity.** Today’s active seniors (55+) and retirees are seeking to live in compact, walkable, urban areas where they can safely walk, ride bicycles, or take transit to and from shopping, errands, parks, Farmers Markets, and other community destinations. There is less interest in driving, particularly as residents age. Baby boomers also are striving to live healthier, longer lives, so living in communities with trails, access to recreation (fitness centers, pools, golf courses, and other amenities) are important.

Many Baby Boomers are interested in living in walkable, urban areas

**Generational Trends: Generation Y**

Generation Y (those now in their 20s and 30s) is the group that has driven the urban apartment development boom over the past decade. While Generation Y has favored more urban locations, their preferences may change as they enter mid-life, get married, and start families. Nonetheless, this generation—which grew up after TV shows like Friends and Seinfeld made cities feel safe—should continue to be comfortable with places that exhibit urban qualities.
Generation Y interests tend to show a preference for renting over owning homes.

Generation Y prefers:

- **Renting over owning**, particularly in the era when Uber, Lyft, Airbnb, and other “sharing economy” innovations mean that people can take advantage of major assets without having to own them.

- **A digital lifestyle**. Generation Y depends on smart phones and wireless internet, while they own cars and get drivers licenses at lower rates.

- **Quality over quantity**, in terms of housing, office space, and other material goods.

- **Unique experiences**.

- **Social, urban environments**.

- **Diversity of ethnic backgrounds and gender**.
Population Growth and Household Income Influences

Figure 18 shows population growth per square mile for 2010 to 2015. This is consistent with the information on regional center growth shown above, and highlights the very high growth in areas such as Bellevue and central Seattle. The Regional Center itself, along with other nearby areas such as Downtown Tacoma and Ruston, has also grown, but not quite as quickly.

The Ruston area offers one model for the Regional Center, as Ruston combines a wide mix of land uses—housing, retail, restaurants, and entertainment—with excellent access to waterfront walkways, waterfront views, and the Point Defiance natural area. This mix is likely to appeal to a range of residents, particularly mid-career professionals and 65+ households. While the Regional Center obviously does not include a waterfront, it does have parks and natural amenities within the city, and has access to the regional trail system (about one mile to the west) with views of Chambers Bay. Both on-site amenities and access to the regional trail system should be enhanced.

Figure 19 shows that University Place is generally a middle-income community, with some higher income areas on the western edge of the City. There is a concentration of lower-income households towards the north end of the Regional Center. Outside of the Regional Center, higher income households are concentrated along bluff areas with water views (among other areas), while lower income households are concentrated just east, along the I-5 corridor. Real estate developers, including residential and retail developers, will take University Place’s identity as a middle-income city into account as they plan their projects. Luxury housing or retail tenants will be rare, while housing and retail targeted to the middle class will be much more common.

Residential and Commercial Development Patterns

Urban Housing / Multi-family

Figure 20 shows multi-family (apartment) projects in University Place and nearby communities. Apartment projects in darker orange were built since 2000; older projects are shown in lighter orange. Two concentrations of recent development are apparent: Downtown Tacoma, and in South Tacoma, near the Tacoma Mall. Both reflect the increasing density of post-2000 development; the projects in Downtown Tacoma in particular reflect peoples’ preference for walkable, mixed use, urban places. The Clearview 100 and Latitude 47 projects, both part of the University Place Town Center, are shown on the map, as is the Grandview Senior Living project, towards the northwest edge of the Regional Center.
Figure 18—Population Growth per Square Mile

Source: ESRI & Leland Consulting Group
Figure 19—Median Household Incomes

Source: ESRI & Leland Consulting Group:
Figure 20—Multi-family Properties, Market Area

Markers sized by square footage. Pre-2000 construction shown as faded.

Source: Costar & Leland Consulting Group
Several different housing types are shown below. Clockwise from top left, these are townhouses, mixed use mid-rise, and single-family homes. LCG expects all of these housing types to be in demand in University Place in the coming decade. Housing densities ranging from mid-rise (near the core of the Regional Center) to townhomes (near the edges) will be most appropriate given the vision for the center and development economics (higher density development types typically replace lower density types in redeveloping centers). On key streets throughout the subarea, multi-family housing over mixed use or active use at the street level will enhance vibrancy of each district. With the typical concept that “retail follows rooftops” in mind, it will be important for residential density to increase in the center to support the active uses at street level throughout. It often takes time for these spaces to be fully leased/occupied, in which case it is important that code provisions allow flexibility in how these spaces are used over time. Retail doesn’t have to be required, and other active uses such as studio space, offices, and even residential with design treatments to support such use can be viable.

Today’s planners are talking a lot about the “missing middle” forms of urban housing that are beginning to be in higher demand as buyers from different generations are seeking different housing options and choices that match ranging levels of affordability and interest. The missing middle includes such forms of housing as townhomes and multiplex units, as well as attached cluster and cottage style developments with smaller homes and shared open spaces/gardens.

Multi-Family Housing Examples, Including Mixed Use at the Street Level and “Missing Middle”
Office / Employment

Figure 21 shows office buildings in University Place and nearby areas, including more recent projects built since 2000 (dark blue), and older projects (lighter blue). The size of each box shown below corresponds to the size (square footage) of each office building.

**Figure 21—Office Properties, Market Area**

Source: Costar & Leland Consulting Group
Figure 21 illustrates some key takeaways regarding office development:

- When measured by total square footage, most places—including downtowns and regional centers—have seen less total office development compared to multi-family development over the last decade. Urban housing has tended to play a more significant role in mixed use redevelopment projects, and this has been the case in the University Place Town Center and regional centers thus far. LCG expects this trend to continue, as people now require less area to get their jobs done—sometimes a laptop is all that is needed—so office buildings will also tend to be smaller in the future.

- New office development is very location sensitive. Major new projects increasingly are being built in high density mixed use places, particularly downtowns, and adjacent to existing employment clusters such as hospitals. Office developers take the following key criteria into account when deciding whether to build: rental rates (ideally $30 per square foot triple-net or higher), interest from anchor tenants, proximity to highly educated workforce in surrounding neighborhoods, mixed use environment, and regional workforce access via major transportation and transit infrastructure. Weyerhaeuser’s move from a suburban campus in Federal Way to Seattle’s Pioneer Square district is one such move; Amazon’s well-known expansion in South Lake Union is another.

- Some major employers have bucked the downtown trend, but are still attracted to more active, mixed use campuses. For example, new facilities built by Google (Kirkland) and proposed by REI (Bellevue) are close to walking and biking trails, transit, residential neighborhoods, retail, and restaurants. They are more integrated with their surroundings that the single-use office campuses of the past.

Representative images of new office development trends are shown below: adaptive reuse and creative office space. These office development trends often feature larger amounts of social and collaborative space, and “open office” environments, moving away from uniform cubicles. Co-working space, in which sole proprietors and small companies rent small spaces, is also becoming popular. Such spaces can also be tightly integrated with ground floor retailers.

Such office developments are dense and active, and could be good fits in the Town and Regional Centers. However, they tend to be smaller in scale than past office projects, and usually comprise a smaller amount of total development compared to housing.
Adaptive Reuse and Creative Office Space Examples

Figure 22 shows a representation of the country’s changing urban workplace. The left image shows Intel’s office space in Hillsboro, Oregon, before a major redesign; the right image shows a more collaborative, open, “alternative” workplace space, after the redesign. Many companies believe this new type of workplace is critical to attracting the best and brightest employees, especially younger, Generation Y workers, who are used to a collaborative, interactive, social, mobile, and less hierarchical work environment.

Figure 22—The Changing Workplace

Older office designs featured:
- Grey cubes
- Limited natural light
- Limited employee collaboration

New workplace designs feature:

- Smaller work stations
- More area for collaboration
- Mobility, telecommuting encouraged
- Higher employee satisfaction and productivity
- Lower “re-stack” costs

Projected Employment
The University Place Regional Center, along with other major centers in the region, should be competing to capture a significant portion of the region’s employment growth. There are three other regional growth centers near University Place: Tacoma Downtown, Tacoma Mall, and Lakewood (and Puyallup Downtown and Puyallup South Hill are also nearby, but farther afield. See appendix for map). These centers are likely to be the University Place Regional Center’s main competitors for development. As such, it is important to identify which industries are projected to grow (and conversely, decline) to inform future planning efforts and help capture such growth in the regional center.

Figure 23 shows projected industry job growth through 2024 for Pierce County. Education and health services, professional, technical and business services, and government (typically white-collar jobs, but also three of the currently dominant industries in the County) are expected to see the most growth, while service industry jobs (leisure and hospitality and retail) are also expected to see significant growth. Industrial-oriented jobs, such as manufacturing, wholesale trade, and transportation, warehousing, and utilities are expected to see the least growth, but are also unlikely to significantly feature in PSRC’s designated regional growth centers—these industries are instead more likely to generate jobs in PSRC’s manufacturing industrial centers (the Port of Tacoma is the closest industrial center to University Place). Figure 24 shows sub-industry projected job growth over the same 2014-2024 period.
Figure 23—Pierce County Projected Industry Job Growth, 2014 to 2024

<table>
<thead>
<tr>
<th>Industry</th>
<th>Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edu &amp; Health Services</td>
<td>11,100</td>
</tr>
<tr>
<td>Prof. &amp; Business Services</td>
<td>8,500</td>
</tr>
<tr>
<td>Government</td>
<td>5,800</td>
</tr>
<tr>
<td>Leisure And Hospitality</td>
<td>5,700</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>5,000</td>
</tr>
<tr>
<td>Construction</td>
<td>3,700</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>2,200</td>
</tr>
<tr>
<td>Transportion, Warehousing &amp; Utilities</td>
<td>2,100</td>
</tr>
<tr>
<td>Other Services</td>
<td>2,000</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>700</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>300</td>
</tr>
<tr>
<td>Information</td>
<td>300</td>
</tr>
<tr>
<td>Natural Resources &amp; Min’g</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Employment Security Department/LMPA & Leland Consulting Group

Pierce County is projected to add 47,400 jobs from 2014 to 2024. Over half of these jobs are projected to be in only three industries: education and health services, professional and business services, and government. These three industries are those that typically have a high utilization of office space, and are also increasingly choosing to locate in more urban locations. As such, University Place may be able to capture a significant proportion of this project employment growth in its subarea districts.
Figure 24—Pierce County Sub-Industry Projected Job Growth, 2014 to 2024

<table>
<thead>
<tr>
<th>Industry</th>
<th>Projected Job Growth (2014 to 2024)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Services And Social Assistance</td>
<td>9,800</td>
</tr>
<tr>
<td>Other Professional Services</td>
<td>5,000</td>
</tr>
<tr>
<td>Construction</td>
<td>4,400</td>
</tr>
<tr>
<td>Professional, Scientific And Technical Services</td>
<td>4,000</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>2,200</td>
</tr>
<tr>
<td>Other Services</td>
<td>2,000</td>
</tr>
<tr>
<td>Education Services</td>
<td>1,600</td>
</tr>
<tr>
<td>Other Information</td>
<td>1,300</td>
</tr>
<tr>
<td>Motor Vehicle And Parts Dealers</td>
<td>700</td>
</tr>
<tr>
<td>Federal Government</td>
<td>400</td>
</tr>
<tr>
<td>Other Durable Manufacturing</td>
<td>400</td>
</tr>
<tr>
<td>Fabricated Metal Product Manufacturing</td>
<td>300</td>
</tr>
<tr>
<td>Wood Product Manufacturing</td>
<td>200</td>
</tr>
<tr>
<td>Utilities</td>
<td>200</td>
</tr>
<tr>
<td>Paper Manufacturing</td>
<td>200</td>
</tr>
<tr>
<td>Other Transportation Equipment</td>
<td>200</td>
</tr>
<tr>
<td>Nonmetallic Mineral Product Manufacturing</td>
<td>100</td>
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<tr>
<td>Logging</td>
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<td>Finance And Insurance</td>
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<tr>
<td>Aerospace Product And Parts Manufacturing</td>
<td>-100</td>
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<tr>
<td></td>
<td>-200</td>
</tr>
<tr>
<td></td>
<td>-400</td>
</tr>
</tbody>
</table>

Source: Employment Security Department/LMPA & Leland Consulting Group
Another important consideration is providing employment opportunities in proximity to where people live—IN the community. This balance of housing and jobs in communities and regional growth centers can improve quality of life by reducing commute times and related household costs. Figure 25 shows the average commute time by City in the Pierce County area. The average commute time for University Place residents is 24.7 minutes (approximately 10 miles). Bringing more jobs to the community can reduce this average commute time and distance. Additionally, the more people can ride transit, bicycle, or walk to and from work because they live in proximity, the less overall vehicle miles traveled in the region, reducing traffic congestion and related impacts.

Figure 25—Average Commute Time by City in Pierce County

Proximity to manufacturing/industrial centers, focus areas for employment, is shown in Figure 26. The nearest manufacturing/industrial center to University Place is the Port of Tacoma, approximately ten miles to the northeast.
Figure 26—Regional Growth Centers and Manufacturing/Industrial Centers in Proximity to University Place

Source: PSRC

Retail

Figure 27 shows retail buildings in University Place and nearby areas, including more recent projects built since 2000 (dark red), and older projects (lighter red). The size of each box shown below corresponds to the size (square footage) of each retail building. Like office development, retail development has been slow to recover from the recession, when vacancies were high and rents decreased significantly. While consumer spending has bounced back, retail development has been slow because of the increasing role of online shopping and the “overhang” of high vacancies in many retail centers that take time to fill.

Goods and services that can’t be bought as easily online—particularly food, drink, groceries, “experiential” tenants such as yoga, massage, and fitness—have done well, while commodity retailers—most bookstores, video, appliance, and similar—have struggled. Within town and regional centers, most retail is “pulled in” as a small part of a mixed use project in which the dominant use may be housing, office, or healthcare. The retail at the University Place Town Center is one example. Because of University Place’s location—set back from I-5 and Highway 16—it will tend to be a less desirable location for large format-retail such as fashion, and power-center retailers (e.g. Home Depot, Best Buy). These retailers tend to locate in places with the best regional visibility and accessibility, usually either central city downtowns, or along major freeways. Figure 28 shows the types of retailers that tend to be growing and declining nationwide.
Figure 27—Retail Properties, Market Area

Source: Costar & Leland Consulting Group
### Figure 28—Retail Market Outlook

<table>
<thead>
<tr>
<th>Type</th>
<th>Growing</th>
<th>Declining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food</td>
<td>- Grocery (all but mid-priced and traditional)</td>
<td>- Grocery (mid-priced unionized and local/regional traditional)</td>
</tr>
<tr>
<td></td>
<td>- Fast Casual Restaurants</td>
<td>- Casual Dining</td>
</tr>
<tr>
<td></td>
<td>- Food Halls/Artisanal Markets</td>
<td>- Priced Out Urban Dining</td>
</tr>
<tr>
<td></td>
<td>- Upscale Dining</td>
<td>- Weak Fast Food</td>
</tr>
<tr>
<td></td>
<td>- Truck to Bricks</td>
<td></td>
</tr>
<tr>
<td>Apparel</td>
<td>- Luxury Stores</td>
<td>- Mid-priced Apparel</td>
</tr>
<tr>
<td></td>
<td>- Outlets</td>
<td>- Children’s Apparel</td>
</tr>
<tr>
<td></td>
<td>- Fast Fashion</td>
<td>- Mid-priced Shoe Stores</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>- Sporting Goods</td>
<td>- Dollar Stores</td>
</tr>
<tr>
<td></td>
<td>- Fitness/Health Clubs</td>
<td>- Pet Supplies</td>
</tr>
<tr>
<td></td>
<td>- Medical Users</td>
<td>- Consumer Electronic</td>
</tr>
<tr>
<td></td>
<td>- Clicks to Bricks</td>
<td>- Office Supplies</td>
</tr>
<tr>
<td></td>
<td>- Tax Services</td>
<td>- Bookstores</td>
</tr>
<tr>
<td></td>
<td>- Convenience Stores</td>
<td>- Toy Stores</td>
</tr>
<tr>
<td></td>
<td>- Check Fashion</td>
<td>- Video Stores</td>
</tr>
<tr>
<td></td>
<td>- Marijuana Dispensaries</td>
<td>- Shipping/Postal Stores</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Drug Stores</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Retail Bank Branches</td>
</tr>
<tr>
<td>Home related</td>
<td>- Home Improvement/Do It Yourself</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Home Furnishings</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Furniture Stores</td>
<td></td>
</tr>
</tbody>
</table>

*Source: Cushman & Wakefield, Retail Update Presentation, 2015.*

### General Development Considerations

Figure 29 shows the Urban Land Institute’s (ULI) “development prospects” forecast for 2017. The ULI is the leading national organization of real estate and land use professionals, including developers, lenders, brokers, planners, and others. While this is a relatively short-term forecast (i.e., for several years, rather than the 20-year time horizon of this work), it is a good general barometer for the type of development that the private sector will be looking to build.

The most promising development prospects, per ULI, are multi-family properties (including age-restricted, affordable, luxury and student housing), medical and central city office, urban/high street and neighborhood retail, economy and midscale hotels, and lifestyle centers. Traditional suburban building formats, such as suburban office, power centers, outlet centers, and regional malls, are given the least favorable development prospects by ULI.
Figure 29—Development Prospects by Type, Urban Land Institute, 2017

Source: ULI & Leland Consulting Group
Placemaking—the Neighborhood as the Amenity

“Placemaking”—capitalizing on a location’s distinctive natural, built, and cultural features in order to make a place that residents and visitors have an emotional connection to—is a critical part of any great regional or town center. Some of the ingredients of placemaking that have made other places successful and memorable are shown below. While these ingredients create personal connections to place, they can also be of tremendous value to developers, commercial tenants, and others in the real estate business, because they create additional financial value and increase the chance that potential customers will come to a regional or town center.

Characteristics of great places that are attractive to residents

Some placemaking elements that could be a good fit for University Place are listed below. The regional center should be a “distillation” of the identity and brand of City as a whole. The features that attract residents and visitors to the City should ideally be present in the regional center. For example, the wine-growing culture present throughout the Walla Walla region is particularly vibrant in downtown Walla Walla, through tasting rooms, restaurants, culinary stores, and more.

Cultural opportunities focused around Chambers Bay, new Town Center activities, and the emerging strengthen of the hometown at the center of the University Place lifestyle are characteristics that can help to influence placemaking and the sense of place in the subarea. Other opportunities include:

- Bike and pedestrian trails and infrastructure, and access to trails located to the west;
- Open space, and access to open space and waterfront views
- Events and festivals
- Family-friendly retailers and events
- Golf oriented retailers and services
- Arts focus
- Other stores, businesses, institutions, and events that reflect special elements of University Place
Development Forecast

Methodology
This section of the subarea plan provides a forecast of real estate development in the University Place Regional Center and surrounding market area. The market area is defined as a 10-mile radius from the center of University Place, which equates to a 20- to 30-minute drive time to or from the Regional Center (the average commute time for University Place is 24.7 minutes – see Appendix for commute time map). The map below (Figure 30) shows the location of the University Place Regional Growth Center in relation to surrounding cities in the region and the 10-mile market area.

Figure 30—Locator Map and University Place Regional Center Market Area
Growth Rates

Figure 31, the table below, summarizes development growth rates per sector from 2000 through 2016 for the University Place Regional Center, the City of University Place, and the 10-mile Market Area.

**Figure 31—Existing Development Annual Growth Rates, University Place Regional Center, 2000-2016**

<table>
<thead>
<tr>
<th>Annual Growth Rate</th>
<th>Office</th>
<th>Retail*</th>
<th>Housing</th>
<th>Ind.</th>
<th>&quot;Other&quot;</th>
<th>Avg.**</th>
</tr>
</thead>
<tbody>
<tr>
<td>UP Regional Center</td>
<td>3.26%</td>
<td>0.20%</td>
<td>0.59%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>1.01%</td>
</tr>
<tr>
<td>City of University Place</td>
<td>4.04%</td>
<td>-0.04%</td>
<td>0.46%</td>
<td>0.53%</td>
<td>n/a</td>
<td>1.25%</td>
</tr>
<tr>
<td>10-mile Market Area</td>
<td>0.76%</td>
<td>0.42%</td>
<td>0.76%</td>
<td>1.24%</td>
<td>n/a</td>
<td>0.80%</td>
</tr>
</tbody>
</table>

Source: Costar and Leland Consulting Group

* Retail data is unavailable pre-2006, so the annual growth rate is calculated on 10 years of data.

** Average is for Office, Retail, Residential, and Industrial only. With “Other,” the average for the regional center is 0.81%.

**Key Takeaways from Analysis of Growth Rates Include the Following:**

- On average, development across all sectors in the regional center has grown faster than the 10-mile market area but slower than the City, largely driven by the rapid development of office in the overall City and the presence of industrial development outside the regional center.

- Residential growth has been slow but relatively consistent in the regional center, City, and 10-mile market area, with growth rates between 0.5 and 0.8 percent. In the regional center, there were three properties built between 2000 and 2016, adding just under 300 dwelling units to a base inventory of 2,400 units. Residential is currently the predominant land use in the regional center.

- The office sector is growing significantly faster within both the City of University Place and the regional center than any other sector. This growth was due to the construction of six office buildings, which added over 250,000 square feet to a base inventory of 360,000 square feet. Further, office growth in the market area is significantly slower, indicating that the regional center is attracting most new office development in the region.

- The retail market has been stagnant, with most development occurring in the wider market area instead of the regional center. In fact, City of University Place saw negative growth in the retail sector between 2000 and 2016, despite positive growth in the regional center. Within the regional center, there was only 70,000 square feet added to a base inventory of about 1.1 million square feet.

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1 One of these six buildings—the University Place Pierce County Library—accounted for 155,000 square feet of the 255,000, and was built in 2011.
million square feet between 2000 and 2016. It is worth noting that although the retail sector experienced near-zero growth, it remains one of the predominant land uses in both the regional center and the overall City (second only to residential).

- There were no new industrial and “other” (which include hospitality, sports and recreation, healthcare, and specialty uses) properties added to the base 2000 inventory in the regional center. Additionally, the industrial sector and those considered “other” have the least building square footage in the regional center with only 160,000 square feet and 290,000 square feet of space, respectively. With that said, there are significantly more industrial buildings within the regional center than in and adjacent to the rest of the city, with 18 versus 6 buildings. Industrial buildings within the regional center are, on average, smaller than those in the rest of the city, with the 18 buildings averaging 7,000 square feet and the 6 other buildings in the city or adjacent to it averaging about 20,000 square feet. Of the 6 other buildings, 3 are located in Narrows Marina (of which two are significant in size), and the other 3 are clustered around Custer and Lakewood Road just southeast of University Place in the City of Lakewood (with only one of these being significant in size).

Future Development
This section provides an estimate of the total development square footage per sector that may be built in the regional center over the next 20 years. It is important to note that these estimates do not take into account the overall feasibility of development, such as spatial limitations or property availability for redevelopment, and should only be considered as potential trends or guidelines based on certain growth rates.

PSRC produces a “baseline” and “vision” series for their regional and small area forecasting. For the baseline growth rate scenario in this analysis, we use the PSRC baseline growth rate for the market area (10-mile radius) for all development types. For context, at an average annual growth rate of 0.78 percent at the PSRC baseline level, the market area would see population growth increasing from 565,683 in 2010 to 728,299 in 2040.

For the medium growth rate scenario, this analysis uses PSRC’s vision growth rate for the City of University Place. We assume that the regional center will capture a significant amount of development within the City limits, and this rate reflects a moderate capture rate. For the high growth rate scenario, we use PSRC’s vision growth rate for designated regional growth centers within the Puget Sound Region. PSRC has designated these centers as locations of the

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2 The Baseline series projects future growth strictly as a function of historical trends (and land constraints), while the vision forecast is intended to be reflective of the policies of the constituent local governments (though still a realistic, regionally-controlled growth total).
region’s most significant business, governmental, and cultural facilities and are planning for growth. These centers have been deemed to be central places with a mix of uses and activities connected by efficient transportation. The *vision* growth rate for these centers is assumed to reflect an aggressive capture rate for the University Place regional growth center, as shown in Figure 32, below.

**Figure 32—Projected Development Annual Population Growth Rates, 2017-2037**

<table>
<thead>
<tr>
<th>Average Growth Rates</th>
<th>Baseline CAGR (MA Base)</th>
<th>Medium CAGR (UP Vision)</th>
<th>High CAGR (RGC Vision)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office, Housing, &amp; “Other”</td>
<td>0.81%</td>
<td>1.88%</td>
<td>2.79%</td>
</tr>
<tr>
<td>Retail*</td>
<td>0.32%</td>
<td>0.76%</td>
<td>1.12%</td>
</tr>
</tbody>
</table>

*Source: PSRC & Leland Consulting Group

*Retail growth rates have historically been about one-third as fast as area population growth, and therefore a lower rate is warranted*

In order to calculate realistic projections, the baseline growth rate scenario for the 20-year planning period (0.81 percent) should be similar to the historical (2000 to 2016) average development growth rate for the University Place Regional Growth Center, as this represents the “business-as-usual” scenario. As such, the average annual growth rate across all land use sectors from 2000 to 2016 is equal to the projected baseline growth rate scenario shown in the table above.

For retail, the situation is not as straightforward. Between 2000 and 2016, retail development grew only one-third as fast as residential development. As densities increase in the regional center it is likely that retail development will marginally increase, so for retail a growth rate 40 percent of residential growth rate is used. As such, the projected growth rates (baseline, medium and high) are likely to be about 40 percent of the growth rates for office, residential, and “other”.

Forecasts should also be used and implemented within the context of past and existing development trends. Past development trends will indicate which growth rate is more likely. For example, retail is forecasted to add another 440,000 square feet to its existing inventory under the “high” growth rate scenario, yet the last 17 years has seen relatively little development, so it is more likely that the baseline scenario will be appropriate. Similarly, the office sector has experienced significant development activity over the past 17 years, with a growth rate of over three percent, so the “high” growth rate may be more likely.

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3 Development forecasts for each sector are based on the same growth rates (with the exception of retail, which is 60 percent lower), as discussed earlier in this report, and the forecasts apply these growth rates to the existing inventory square footage (as of the end of 2016).
Summary of Forecasted Development

As shown in Figures 33 and 34 below, development projections at the baseline level are relatively modest. The medium and high levels, however, will increase total development square footage in the regional center by an average of 39 to 62 percent.

**Figure 33—Forecasted Development Summary Table, University Place Regional Center, 2017-2037**

<table>
<thead>
<tr>
<th></th>
<th>Residential (units)</th>
<th>Residential (sf)</th>
<th>Office (sf)</th>
<th>Retail (sf)</th>
<th>Other (sf)</th>
<th>Total (sf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017 Inventory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td>2,613</td>
<td>2,674,482</td>
<td>603,157</td>
<td>1,104,486</td>
<td>290,032</td>
<td>4,672,157</td>
</tr>
<tr>
<td>2037 Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base</td>
<td>3,065</td>
<td>3,137,131</td>
<td>707,559</td>
<td>1,177,501</td>
<td>340,234</td>
<td>5,362,707</td>
</tr>
<tr>
<td>Medium</td>
<td>3,810</td>
<td>3,899,257</td>
<td>879,372</td>
<td>1,285,448</td>
<td>422,852</td>
<td>6,486,929</td>
</tr>
<tr>
<td>High</td>
<td>4,531</td>
<td>4,637,213</td>
<td>1,045,798</td>
<td>1,378,980</td>
<td>502,879</td>
<td>7,564,870</td>
</tr>
<tr>
<td>Net New</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base</td>
<td>452</td>
<td>462,931</td>
<td>104,402</td>
<td>73,015</td>
<td>50,202</td>
<td>690,550</td>
</tr>
<tr>
<td>Medium</td>
<td>1,197</td>
<td>1,224,775</td>
<td>276,215</td>
<td>180,962</td>
<td>132,820</td>
<td>1,814,771</td>
</tr>
<tr>
<td>High</td>
<td>1,918</td>
<td>1,962,731</td>
<td>442,641</td>
<td>274,494</td>
<td>212,847</td>
<td>2,892,712</td>
</tr>
</tbody>
</table>

Source: Leland Consulting Group

---

**Figure 34—Total Increase in Development Square Footage**

<table>
<thead>
<tr>
<th></th>
<th>% Increase: 2017 to 2037</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base</td>
<td>15%</td>
</tr>
<tr>
<td>Medium</td>
<td>39%</td>
</tr>
<tr>
<td>High</td>
<td>62%</td>
</tr>
</tbody>
</table>

Source: Leland Consulting Group

---

**Residential Development**

The housing sector experienced no development activity until 2009, and has since added 294 units, increasing its inventory of multi-family units by over one-tenth (a growth rate of 1.2 percent). Looking ahead, the housing sector may be most likely to follow the medium growth rate scenario. Figure 35 shows the forecasted projection for multi-family housing in the region.

<NOTE: WE HAVE ASKED THAT THIS ANALYSIS AND FORECAST BE UPDATED GIVEN MOST RECENT DEVELOPMENT IN THE VILLAGE AT CHAMBERS BAY AND MARKET TRENDS. THIS WILL BE UPDATED IN THE FINAL VERSION OF THE PLAN AND WE EXPECT THE HOUSING PROJECTION MAY BE SOMEWHAT HIGHER; HOWEVER CAUTIOUSLY CONSIDERING THE MARKET CYCLE AS WELL.>
Office Development

The office sector experienced significant development activity between 2000 and 2010 and can be expected to continue in the same vein. Medical and central city office will likely be the more dominant office building type. Figure 36 shows the forecasted projection for office use.
Retail Development

The sheer volume of retail square footage may be the reason for the lack of new retail development. In fact, the total number of retail properties actually declined between 2006 and 2017. As such, additional square footage will likely be in the form of infill and/or rehab development and more closely follow the baseline growth rate projection. With that said, the rate of development may increase at a later date. Figure 37 shows the historical inventory and forecasted projection for retail in the region.

**Figure 37—Retail Historical Inventory and Forecasted Projection**

```
<table>
<thead>
<tr>
<th>Year</th>
<th>Current Inventory</th>
<th>Baseline</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>1,000,000</td>
<td>1,050,000</td>
<td>1,100,000</td>
<td>1,150,000</td>
</tr>
<tr>
<td>2010</td>
<td>1,050,000</td>
<td>1,100,000</td>
<td>1,150,000</td>
<td>1,200,000</td>
</tr>
<tr>
<td>2014</td>
<td>1,100,000</td>
<td>1,150,000</td>
<td>1,200,000</td>
<td>1,250,000</td>
</tr>
<tr>
<td>2018</td>
<td>1,150,000</td>
<td>1,200,000</td>
<td>1,250,000</td>
<td>1,300,000</td>
</tr>
<tr>
<td>2022</td>
<td>1,200,000</td>
<td>1,250,000</td>
<td>1,300,000</td>
<td>1,350,000</td>
</tr>
<tr>
<td>2026</td>
<td>1,250,000</td>
<td>1,300,000</td>
<td>1,350,000</td>
<td>1,400,000</td>
</tr>
<tr>
<td>2030</td>
<td>1,300,000</td>
<td>1,350,000</td>
<td>1,400,000</td>
<td>1,450,000</td>
</tr>
<tr>
<td>2034</td>
<td>1,350,000</td>
<td>1,400,000</td>
<td>1,450,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td>2038</td>
<td>1,400,000</td>
<td>1,450,000</td>
<td>1,500,000</td>
<td>1,550,000</td>
</tr>
<tr>
<td>2040</td>
<td>1,450,000</td>
<td>1,500,000</td>
<td>1,550,000</td>
<td>1,600,000</td>
</tr>
</tbody>
</table>
```

*Source: Costar, PSRC, and Leland Consulting Group*

"Other" Development

The "other" property projection is more complicated, as it includes a range of property types, including hospitality, sports and recreation, healthcare, and specialty. While there have been no new buildings, increased housing and employment will increase demand for certain complimentary building types, particularly hospitality and healthcare. Figure 38 shows the forecasted projection for these other types of uses in the region.

Market Cycles

The actual pace of development will be "lumpier" than the development forecast figures shown above. The development industry operates in cycles as illustrated below, beginning in a downturn or recession, then moving to recovery, expansion, and hypersupply (an overbuilt market). Essentially, when a market becomes overbuilt or over-supplied, developers halt building for some time.
Figure 38—“Other” Historical Inventory and Forecasted Projection

The great recession, officially between 2007 and 2009, is one example of market cyclicality, as overbuilding in the single-family home market, along with diminishing household resources and demand, caused a rapid decline in single family home production among other economic impacts. Another example is shown below: according to Figure 39, IRR (a commercial real estate appraisal and services firm), believes that the Seattle multi-family housing market is in a rapid expansion phase, and could head into hypersupply sometime soon.

It is possible that real estate development will go through another downturn in the next few years; in any case, a downturn is likely during at least one point in the 20-year time frame for this study. Nonetheless, the long-term dynamics described in this report should remain reliable.

Figure 39—Seattle Multi-family Market Cycle

Source: Integra Realty Resources.
Real Estate Market Conclusions and Recommendations

The University Place Regional Growth Center, which consists of three distinct sub-districts, is well placed to capture a significant portion of the demand driven by high growth projections for population and employment in the region. Scenarios developed by PSRC project that population and jobs in the University Place market area will grow by between 0.8 and 2.8 percent annually through 2037. Therefore, the question is not whether University Place and the Regional Center will grow, but rather how much and what form this growth will take.

The regional center has already seen significant development which will likely continue given the strong market conditions in the Seattle metropolitan area. Building the identity of the three districts will enable each to be successful. Each district should focus on placemaking, enhance the existing strengths and assets (discussed earlier in this report), and ensure future development is in keeping with the City’s overarching goals and community principles.

University Place’s existing demographic and socioeconomic conditions support continued development of multifamily housing, and to a lesser degree, employment and general commercial development.

New commercial development should focus on high growth industries, such as healthcare and education services and professional and business services, while also maintaining focus on housing and supportive retail uses.

Office and Employment

New office and employment development should focus on high-growth industries, such as healthcare and education services, technology, and professional and business services. Office spaces that emphasize adaptive reuse, a mixed use environment integrated with multi-modal transportation and surrounding neighborhoods (e.g., Google and REI), “co-working,” and “creative” office have been the most successful in recent years, and will be the best fit for University Place. These spaces are the most likely to attract business-owners who are already in University Place, or would consider moving there. Nonetheless, office and employment development is likely to be somewhat slower than it has been in past decades, as employees require less space and can work remotely (from home), and new employment development is focusing in the downtowns of the region’s largest cities. The planning team projects demand for between 100,000 and 440,000 square feet of office space over the next 20 years.

Housing

As stated above, the University Place market area is expected to continue to grow, and the planning team projects demand for between 450 and 1,900 new housing units in the regional center over the next two decades. This demand will come from a variety of demographic sources, which University Place should plan proactively to attract.
Young people, including Generation Y. Generation Y, now in their 20s and 30s, have shown a strong propensity to living in mixed use and urban locations. This is expected to continue, even as Generation Y begins to start families and look for larger housing units that accommodates kids.

Baby Boomers will make up an increasing share of the population and many will be looking for low-maintenance, “lock and leave” housing, that is easily accessible to a variety of amenities including retail, restaurants, social opportunities, and healthcare.

Given the community’s safe, high quality environment and successful Town Center, the University Place Regional Center has a great foundation on which to market itself.

Leveraging the Strengths and Special Attributes of University Place

University Place and the Regional Center should be known for and can leverage its strengths and “competitive differentiators” in attracting sectors of the market. These are the special qualities that potential residents, business owners, or visitors either are already aware of, or could be further cultivated further to make people aware of them. For the City of University Place, these include:

- Chambers Bay Golf Course;
- Sweeping views of Puget Sound and the Chambers Creek Regional Park;
- Parks and trails, overlooking Puget Sound, and in other locations throughout the community;
- Easy access to major regional destinations including downtown Tacoma, regional retail destinations on I-5, and recreation to the west;
- Access to healthy foods, shopping, and public services,
- A quality, family-oriented community considered to be a great place to live,
- Quality school district;
- Access to medical, dental, and other health services, and,
- Safety.

Great downtowns and regional centers are a “distillation” of the best-loved and most unique aspects of the larger community. For example, downtown Walla Walla contains a concentration of wine tasting rooms and restaurants featuring products from the surrounding area. The University Place Regional Center, should likewise celebrate, showcase, and promote aspects of the City’s identity, such as:

- Family friendly retailers, restaurants, events, and festivals;
- Good pedestrian and bicycle access to Soundview Drive and other locations with views of Puget Sound;
- Retailers that provide golfing gear and clothing, and restaurants that can serve groups after they leave the course;
In addition, the following commercial categories are growing, and present good opportunities for the Regional Center given the City’s demographics and character:

- Fast Casual Restaurants
- Food Halls, Artisanal Markets, and food trucks
- Sporting Goods
- Fitness/Health Clubs
- “Neighborhood Scale” healthcare providers
- Fast Fashion (limited)

Recommendations specific to each district follow.

**Town Center District**

The Town Center District is the heart of the regional center. It possesses almost all the major recent commercial development, including grocery stores, banks, general merchandise, and service-based retail. Multifamily properties are also prevalent in the Town Center District, providing immediate demand for the surrounding commercial uses. The district possesses the largest parcel sizes and has opportunities new or infill development, particularly mid-rise mixed use properties.

**27th Street Business District**

Of the three districts in the University Place Regional Center, the 27th Street Business District is generally the most established and built out with neighborhood-serving local businesses. Development opportunities should fit the scale of this district and generally smaller parcel sizes, and will likely include “missing middle” housing types (e.g., townhouses and duplexes), low-rise (three to four story) apartments, and neighborhood serving employment and retail.

**Northeast Mixed Use District**

The Northeast Mixed Use District is the most mixed in terms of land use. It is currently home to a variety of retail, rental housing, and industrial development. There are a number of large and underutilized properties. These attributes offer both opportunities and challenges. They may offer opportunities for large-scale redevelopment and change, such as office/employment campuses and mixed use residential-over-retail projects. However, developers are most attracted to districts with an already-established sense of place, like the Town Center. In the Northeast district, the City should be opportunistic; wait for and react to private sector development proposals; improve pedestrian, bicycle, and transit connections to the other two districts; and be aware that one or more of the large underutilized parcels could be a good fit for a major employer or mixed use developer.
Proposed Zoning and Urban Form

A new framework for zoning and urban form is proposed to support implementation of the vision for the subarea and each district, the guiding principles, and applicable Comprehensive Plan policies. Figure 40 depicts the new zoning map for the subarea. It should be noted that the proposed zoning seeks to guide the building form and height in each category and provide more flexibility related to the types of specific uses that could be redeveloped as discussed in more detail below.

Zoning Categories

The new zoning categories proposed for the subarea districts encourage a vibrant mix of land uses and compact urban form along key corridors and surrounding activity hubs through redevelopment over time. The zoning categories also provide the ability for the City to allow a more flexible framework of land use growth that can adapt to market conditions over time. There are fewer categories proposed than currently exist. This will help to clarify the desired type of redevelopment and streamline the development approvals process, while also encouraging best practices in design and development. The City’s current zoning framework will need to be updated to integrate these categories and existing use tables will need to be adapted as part of this process.

The proposed zoning is designed to maximize density and urban form along Bridgeport Way in the Town Center core and at key nodes throughout the subarea, while at the same time providing lower-height zoning categories that transition back from the core area to surrounding neighborhood zoning. The four new zoning categories are described below.

**Mixed Use Residential (MUR)-75**

The Mixed Use Residential (MUR)-75 zoning category is proposed primarily for the Town Center District, with a small portion in the 27th Street District. MUR-75 would allow a 75-foot height limit for buildings, which is generally seven stories of development. Building types such as five wood frame stories over a two-level concrete podium or five wood frame stories over a single-level podium, similar to what has recently been constructed in Town Center, could be developed. Other types of construction that do not exceed the 75-foot height limit are also possible. The form of development would generally be mixed use with a focus on residential in the top floors with active uses at the ground floor level. On main streets, such as Bridgeport Way and 27th Street, it would be anticipated that the ground floor level would support retail, office space, and other active uses, while on other street frontages, the ground floor levels could be designed to support residential. The anticipated density range for development of this form would be 60 to 100+ units per acre (gross).

**Mixed Use Residential (MUR)-45**

MUR-45 is proposed throughout the subarea (within all districts), and similar to MUR-75 focused on residential mixed use, but at a 45-foot maximum building height. This height typically supports construction of four-level wood frame building (or other construction type). The form of development...
would generally be mixed use with a focus on residential in the top floors with active uses at the ground floor level. On main streets, ground floor levels would support retail, office space, and other active uses, while on other street frontages, the ground floor levels could be designed to support residential. The anticipated density range for development of this form would be 40 to 60+ units per acre (gross).

**Mixed Use Residential (MUR)-35**

MUR-35 is proposed throughout the subarea (within all districts), and is focused on residential mixed use at a 35-foot maximum building height. This height typically supports construction of 3-level wood frame building (or other construction type). The form of development would generally be mixed use with a focus on residential in the top floors with active uses at the ground floor level. On main streets, ground floor levels would support retail, office space, and other active uses, while on other street frontages, the ground floor levels could be designed to support residential. The anticipated density range for development of this form would be 30 to 40+ units per acre (gross). Other development types of attached housing (townhouses, clustered housing, etc.) that have lower density levels may be appropriate in this category, depending on location, and could be considered to fulfill the "missing middle" housing demand.

**Employment Mixed Use (EMU)-75**

The Employment Mixed Use (EMU)-75 category is proposed only in the Northeast Mixed Use District, where there is a desire for an ongoing focus on employment uses such as various types of businesses, offices, light manufacturing, light industrial, flex-tech, crafts industrial, start-ups, and other employment uses, along with commercial and retail and compatible forms of residential (such as lofts or live/work units). The EMU category allows a maximum height limit of 75 feet, but within the EMU zone redevelopment can be one and two story buildings as long as there is an employment focus that brings an increased number of jobs to the community.
Figure 40—Proposed Zoning and Urban Form
Land Areas per Zoning Categories in Each District and Overall

Figure 41, below shows proposed zoning categories and the assigned land area for each category within each district.

<table>
<thead>
<tr>
<th>Location</th>
<th>Total Size (Gross Acres)</th>
<th>MUR-75</th>
<th>MUR-45</th>
<th>MUR-35</th>
<th>EMU-75</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Center District</td>
<td>210.62*</td>
<td>88.73</td>
<td>77.73</td>
<td>44.16</td>
<td></td>
</tr>
<tr>
<td>27th Street Business District</td>
<td>79.85*</td>
<td>5.51</td>
<td>70.07</td>
<td>4.27</td>
<td></td>
</tr>
<tr>
<td>Northeast Mixed Use District</td>
<td>115.06*</td>
<td>40.20</td>
<td>28.41</td>
<td>4.31</td>
<td>42.14</td>
</tr>
<tr>
<td>Subarea Overall</td>
<td>405.53*</td>
<td>134.44</td>
<td>176.21</td>
<td>52.74</td>
<td>42.14</td>
</tr>
</tbody>
</table>

*Note: these calculations do not include parks, open space, roadway rights-of-way, or other land areas that would not be subject to redevelopment. As such, the total acreage of the subarea is 481 acres, while the total acreage of area that could be redeveloped according to the proposed zoning is 405.53 acres.

Comprehensive Plan and Zoning Amendments

While the subarea plan is consistent with and supports the City’s adopted Comprehensive Plan and policies, the new zoning designations will require amendment of the Comprehensive Plan map and designations. The City’s Zoning Code (Title 19 of the Municipal Code) also will need to be amended to include the new zoning categories, remove no-longer-applicable categories, and integrate new design and development standards and provisions to support the proposed zoning.

Opportunity Sites and Redevelopment Concepts

The City has identified a number of potential opportunities sites for redevelopment throughout the subarea. These are locations where redevelopment may be more poised to happen in the near to mid-term due to a number of factors:

- Current status of property (may be vacant or in transition)
- Land utilization (improvement to land value ratio)—see Figure 42
- Owner’s interest in potential redevelopment
- Location and characteristics of the site and surrounding area
Improvement to land value ratio, as shown in Figure 42 is a measure of the existing utilization of property. The ratio is calculated by dividing the value of the improvements (or building space) by the total value of the property (land + improvements). So typically, the more building space (or “improvements”) on the property or “land”, the higher the utilization and the higher the ratio. As you can see in the figure, the more developed properties have a higher improvement to land value ratio.

The urban framework plan for the subarea and identified opportunity sites are shown on the urban framework map in Figure 43. It should be noted, that other opportunity sites may become known in the future in addition to those mapped to date. The City will work with property owners to review these sites and identify the opportunities and possibilities for redevelopment based on the adopted subarea plan.

The urban framework plan also illustrates primary and secondary activity nodes, as well as opportunities to create features such as gateway treatments, locations for public art, greenway and trail connections, and other amenities with redevelopment in the subarea districts.

**Redevelopment Concept Illustrations**

Concept illustrations have been created to show how the proposed urban form could look when implemented in various locations in the subarea. These illustrations are conceptual graphic depictions of desired character, as well as the scale of potential redevelopment. Actual redevelopment plans for various properties may vary from the concepts shown, but the concepts provide visualizations related to what can be expected with future building height and form. Refer to Figures 44 through 49 for these illustrations.

*University Place Town Center, Source: HBB Landscape Architecture*
Figure 42—Land Utilization (Improvement to Land Value Ratio), University Place

Source: Pierce County Assessor & Leland Consulting Group
Figure 43—Urban Framework Plan and Development Opportunity Sites
Figure 44—Town Center Mixed Use—MUR-45 in the Vicinity of Bridgeport Way and 44th Street West (Residential, Office, and Active Ground Floor Uses)

A conceptual representation of MUR-45 in Town Center illustrating four-story buildings (3 over 1) with a mix of residential and office use as well as town homes transition back toward the single family neighborhoods—ground floor active uses such as commercial, retail, professional services, studios, and other uses activate the street, creating a vibrant district with strong multimodal connections (including transit) while maintaining a livable community feel.
Figure 45—Town Center Mixed Use Residential—MUR-75 in the vicinity of Bridgeport Way and 33rd Street West

A conceptual representation of MUR-75 in the Town Center, illustrating an activated mixed-use core at night, with ground floor storefronts, restaurants, and markets and condominiums and apartments above—wide sidewalks, street trees, pedestrian lighting, and modern but contextually appropriate architecture create the distinct Town Center character while also providing equitable access to jobs, goods, and services.
Figure 46—Assisted Living/Senior Apartments—MUR-75 in the Vicinity of 27th Street West and Grandview Drive

A conceptual representation of MUR-75, and the actual design concept for the proposed SHAG housing development, illustrating a senior living complex anchoring a commercial node at the intersection of 27th Street West and Grandview Drive—this will bring a major character change to the neighborhood, which has been predominantly lower scale businesses, but also will boost retail, restaurants, shopping, and other commerce in the vicinity of the facility; attractive streetscapes with continuous sidewalks, accessible facilities, bike lanes, signalized crossings for pedestrians, street trees, furnishings, lighting and other amenities will enhance equitable access to the district’s businesses and services.
Figure 47—“Missing Middle” Urban Form with Transitions to Neighborhoods—MUR-45 and MUR-35 in the Vicinity of 27th Street West and Locust Avenue

A conceptual representation of MUR-45 and MUR-35 in the 27th Street Business District illustrating a mixture of existing detached single family homes, with new modern townhouses and three and four story multi-family or mixed use buildings—sidewalks and bike lanes connect the neighborhood, providing equitable access to public spaces, transit, and other services, as well as shopping and civic locations.
Figure 48—“Live/Work” Lofts and Flex Space in the EMU-75 Zone of the Northeast Mixed Use District, Vicinity of 69th Street West

A conceptual representation of EMU-75 in the Northeast Mixed Use District illustrating live/work units, lofts, and flexible work spaces for business, office, and retail uses; while the focus of use in the EMU-75 would be on employment, the ability to integrate residences will bring 24-7 activity to the district with more “eyes on the street,” and increase economic vibrancy—live/work and flex spaces allow artists, tradespeople, and small business start-ups to combine uses into one space, generating financial freedom to invest in company growth and job creation; multi-modal infrastructure connects the employment-based district to surrounding residences and services, creating a strong, localized economy and livable community.
Figure 49—Employment Uses and Office Redevelopment in the EMU-75 in the Vicinity of 69th Street West

A conceptual representation of the EMU-75 zoning classification in the Northeast Mixed Use District illustrating office and employment urban form, along with neighborhood walkability; not everyone has to drive to the office—residents can walk, bicycle, and take transit in this conceptual representation.
Proposed Densities and Growth Targets

The proposed densities and the related estimated household and population estimates are shown for each zoning category and each district in the subarea, as well as for the subarea overall in Figures 50 and 51. A summary of the estimated build-out projections is provided in Figure 52. Build-out is a theoretical concept that represents the full potential of development/redevelopment in the subarea—if every parcel were to be redeveloped to the proposed zoning form/height. These estimates assume full build-out of the proposed zoning, which if achieved would occur in future decades, likely longer than the next twenty years. It may be that build-out does not fully occur, but the subarea plan and proposed zoning classifications provide the capacity to accommodate this level of growth in the subarea no matter what the pace of growth may be.

Figure 50—Zoning to Density Range Calculations at Build-Out for Three Districts

<table>
<thead>
<tr>
<th>Location</th>
<th>Size (Gross Acres)</th>
<th>MUR-75 (60 to 100 DUs per Acre)</th>
<th>MUR-45 (40 to 60 DUs per Acre)</th>
<th>MUR-35 (30 to 40 DUs per Acre)</th>
<th>EMU-75 (10 to 20 DUs per Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Center District</td>
<td>210.62 Acres</td>
<td>88.73 Acres</td>
<td>77.73 Acres</td>
<td>44.16 Acres</td>
<td>0 Acres</td>
</tr>
<tr>
<td>Population at Build-Out</td>
<td>8,518 to 14,197</td>
<td>4,975 to 7,462</td>
<td>2,120 to 2,826</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Households at Build-Out</td>
<td>5,324 to 8,873</td>
<td>3,109 to 4,664</td>
<td>1,325 to 1,766</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Jobs at Build-Out</td>
<td>1,719</td>
<td>1,506</td>
<td>855</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>27th Street Business District</td>
<td>79.85 Acres</td>
<td>5.51 Acres</td>
<td>70.07 Acres</td>
<td>4.27 Acres</td>
<td>0</td>
</tr>
<tr>
<td>Population at Build-Out</td>
<td>529 to 882</td>
<td>4,484 to 6,727</td>
<td>205 to 273</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Households at Build-Out</td>
<td>331 to 551</td>
<td>2,803 to 4,204</td>
<td>128 to 171</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Jobs at Build-Out</td>
<td>107</td>
<td>1,357</td>
<td>83</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Northeast Mixed Use District</td>
<td>115.06 Acres</td>
<td>40.20 Acres</td>
<td>28.41 Acres</td>
<td>4.31 Acres</td>
<td>42.14 Acres</td>
</tr>
<tr>
<td>Population at Build-Out</td>
<td>3,859 to 6,432</td>
<td>1,818 to 2,727</td>
<td>207 to 277</td>
<td>1,348 to 2,023</td>
<td></td>
</tr>
<tr>
<td>Households at Build-Out</td>
<td>2,412 to 4,020</td>
<td>1,136 to 1,705</td>
<td>129 to 172</td>
<td>843 to 1,264</td>
<td></td>
</tr>
<tr>
<td>Jobs at Build-Out</td>
<td>779</td>
<td>550</td>
<td>83</td>
<td>1,264</td>
<td></td>
</tr>
</tbody>
</table>
Figure 51—Zoning to Density Range Calculations at Build-Out for Subarea

<table>
<thead>
<tr>
<th>Location</th>
<th>Size (Gross Acres)</th>
<th>MUR-75 (60 to 100 DUs per Acre)</th>
<th>MUR-45 (40 to 60 DUs per Acre)</th>
<th>MUR-35 (30 to 40 DUs per Acre)</th>
<th>EMU-75 (10 to 20 DUs per Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subarea Overall</td>
<td>405.53 Acres</td>
<td>134.44 Acres</td>
<td>176.21 Acres</td>
<td>52.74 Acres</td>
<td>42.14 Acres</td>
</tr>
<tr>
<td>Population at Build-Out</td>
<td>12,906 to 21,510</td>
<td>11,277 to 16,916</td>
<td>2,532 to 3,375</td>
<td>1,348 to 2,023</td>
<td></td>
</tr>
<tr>
<td>Households at Build-Out</td>
<td>8,066 to 13,444</td>
<td>7,048 to 10,573</td>
<td>1,582 to 2,110</td>
<td>843 to 1,264</td>
<td></td>
</tr>
<tr>
<td>Jobs at Build-Out</td>
<td>2,604</td>
<td>3,413</td>
<td>1,022</td>
<td>1,264</td>
<td></td>
</tr>
</tbody>
</table>

Figure 52—Summary of the Theoretical Build-Out Capacity of the Subarea

| Total Population at Build-Out | 28,064 to 43,024 people  |
| Total Households at Build-Out | 17,540 to 27,390 households |
| Total Jobs at Build-Out       | 8,303 jobs |

Activity Units (AUs): 36,367 to 52,128  
AUs/Acre Capacity for 481 Acre Subarea: 75 to 105 AUs/Acre

Population estimates are based on a ratio of 1.6 persons per household, the recommended ratio by Puget Sound Regional Council to use in calculating multi-family generated population in centers. Estimated jobs generated at full build-out also are shown and are based on a baseline estimate average of 19.37 jobs/acre for the MUR zoned land area and 30 jobs/acre for the EMU zoned land area.

Density ranges are shown because the proposed zoning provides flexibility for redevelopment, so some projects may have higher densities than others in each category. It should be noted that these build-out estimates include existing and future population, household, and employment levels in total.

In summary, given the above calculations, approximately 28,064 to 43,024 total people would be expected to be living in the subarea at full build-out of the proposed zoning (population) in approximately 17,540 to 27,390 total households. Approximately 8,303 total people would be expected to be working (employment/jobs) in the subarea at full build-out.

In total, the subarea plan capacity would provide build-out capacity for 36,367 to 52,128 total activity units (people living and working). Given the total gross land area of the subarea of 481 acres, this
would provide growth capacity for approximately 75 to 105 activity units (AU)/acre in the future, compared to today’s estimate of 19.2 AU/acre.

Build-out is theoretical and influenced by many factors, including but not limited to property owner preferences, market factors, and transportation and transit facilities and services, and the availability of other infrastructure and public services to accommodate growth over time. While full build-out is possible decades into the future, it is also possible that it may not be fully achieved. The proposed zoning provides the capacity for growth, exceeding the growth targets assigned to the regional growth center by PSRC. So even if full build-out does not occur, there is a high likelihood that the growth targets will be achieved. Even if only 75 percent of the build-out capacity for the subarea is reached, 57 to 80 AU per acre could be accommodated, exceeding the 45 AU/acre planning target for regional growth centers.

Zoning over the full subarea geography maximizes redevelopment capacity, opportunity, and flexibility. Properties can be redeveloped over time as opportunities arise in specific areas and with specific sites, incrementally progressing toward bringing the full vision for the subarea to reality.

The proposed subarea plan will increase the community’s capacity for a variety of multi-family housing types as well as employment, consistent with and exceeding existing targets for the next twenty years. However, the annual pace of growth is not likely to increase substantially over levels of recent years. While the proposed zoning provides the opportunity for growth, methods to support and catalyze redevelopment will help to encourage growth over time.

Enhancing Community Character as the City Grows

The Community Character Element of the Comprehensive Plan considers and provides goals and policies for:

- People and Public Places
- Events and Community Buildings
- View Corridors, Entrances, and Landmarks
- Buildings and Site Design
- Street and Pathway Linkages
- Urban Forest Management
- Streetscape Landscaping
- Residential Character
- Historic Resources

All of these provisions are applicable to the subarea, and implementation of the subarea plan should continue to protect, reinforce, and enhance these elements of community character with ongoing growth and redevelopment.
As the City works to update zoning code provisions and related building and community design standards as an outcome of this planning process, the guiding principles of this plan and Comprehensive Plan goals and policies will continue to provide a strong foundation for preserving and enhancing community character.

Transportation, Infrastructure, and Public Services and Facilities Available to Serve Growth

Transportation—Enhancing Streets to Improve Connectivity and Mobility for Pedestrians, Bicyclists, and Motorists

The Comprehensive Plan goals and policies call for a multimodal transportation network that serves increasing demand for, and desire to use, other forms of transportation in addition to the automobile. Transit, ride-sharing, bicycling, and walking, as well as driving of personal vehicles are increasingly in the mix of choices of existing and new residents in University Place. Especially with the growth projected in the subarea, it will be important to mitigate the potential for increased traffic by improving mobility options by other modes—transit, bicycling, and walking.

The City has been successful in funding and implementing major transportation improvement projects for arterial streets, including improvements on Bridgeport Way, 27th Street, and various intersections. As redevelopment occurs along these main thoroughfares in the subarea, street improvements will continue to be realized. The City will continue to maintain the transportation level of service (LOS) policies adopted in its Comprehensive Plan, which are summarized below. (Transit LOS policies and recommended service level increases are described in the next section.)

- The City has adopted a LOS D for most arterial streets and LOS E for Quality Service Corridors.
- Planned capacity and circulation roadway improvements, including intersection improvements are identified in the 2015 Comprehensive Plan (page 6-43) and are in various stages of implementation.
- The non-motorized network is an important emphasis of the Comprehensive Plan, with several proposed improvement projects listed that will increase pedestrian and bicycle mobility throughout the community and improve access to and from the subarea. Refer to pages 6-47 through 6-51 of the Comprehensive Plan.
- With the planned improvements in the Comprehensive Plan, the arterial street network in the subarea will largely be built to current standards. Proposed non-motorized improvements will greatly increase pedestrian and bicycle mobility and connectivity, but more non-motorized improvements may be
needed to serve future growth on collector and local neighborhood streets as redevelopment occurs. Developer funding of these types of improvements would be expected as part of future projects. This need should be considered in the next round of transportation improvement/capital facilities planning after adoption of the subarea plan.

- The City should review code provisions to ensure that transportation LOS requirements for both motorized and non-motorized travel will continue to be met with updated transportation and capital facilities planning over time and through a combination of developer funding, capital funding, grants, and other resources.

Transit Service and Facilities
With the additional growth and redevelopment projected for the subarea, it is anticipated that the motorized and non-motorized network will continue to be built out to current standards. Public transit will serve an increasingly important role in the mobility of the community and in connecting people to the broader regional transportation system as the community grows.

EXISTING TRANSIT SERVICES
Public transit services are provided by Pierce Transit via four fixed bus routes (2, 51, 52, and 53) and paratransit shuttle services (contracted through First Transit). Paratransit shuttle services cover an area generally defined as within three quarters of a mile of a fixed route. Pierce Transit also offers vanpool, special use van, and rideshare programs. The fixed route service connects the community with the Tacoma Community College (TCC) Transit Center, just north of the subarea, as well as the Lakewood Transit Center via South 19th Street and Bridgeport Way West. Route 51 connects the community to Tacoma’s Proctor District, and the Lakewood Sounder commuter rail station via S. Orchard Street. Route 52 connects Narrows Plaza neighborhood with the adjacent TCC Transit Center and the Tacoma Mall Transit Center via Regents Boulevard through Fircrest and various arterials in Tacoma. Route 53 provides access to the TCC Transit Center and the Tacoma Mall Transit Center via 67th Avenue West, 27th Street West, Grandview Drive, 40th Street West, and S. Orchard Street, eventually terminating in downtown Tacoma. Route 53 also provides access to the vicinity of the South Tacoma Sounder commuter rail station via S. Orchard Street and S. 66th Street, although the bus route alignment is three blocks south of the station. Buses serving these routes accommodate both bicycles and wheelchairs.

Regional transit service is provided by the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit. Sound Transit’s Regional Long Range Plan guides the development of the region’s high capacity transportation (HCT) system. Sound Transit continually updates the long range plan to serve the needs of the rapidly growing region. Sound Transit services in Pierce County currently include regional express bus (which currently extends to the TCC Transit Center, just north of the subarea), Sounder commuter rail (accessible to University Place residents via local bus routes to the Lakewood station), and Link light rail, currently focused in downtown Tacoma.
More information about existing transit services is available on pages 6-33 through 6-36 of the Comprehensive Plan.

PLANNED TRANSIT SERVICE IMPROVEMENTS
With the adoption of this subarea plan, it will be important for the City to continue to work closely with Pierce Transit and Sound Transit on serving the increasing demands of the University Place Regional Growth Center for both local and regional transit services and facilities. Evaluation of upgrading the current express bus service with a full bus rapid transit line and extending the service further into University Place (from current terminus at TCC Transit Center) is recommended.

Utilities

Water
Tacoma Water, a division of Tacoma Public Utilities, is the primary provider of water service to the community, where it serves over nine thousand customers. The primary water supply comes from the Green River in King County and local wells. With planned improvements cited in the Comprehensive Plan (pages 8-14 through 8-16), adequate water supply and service is anticipated to be available in line with future growth and redevelopment. Individual developer projects will improve connections and services to meet their needs, while the City continues to work with Tacoma Public Utilities to monitor long term growth and demand and update service and facility planning as needed.

Sanitary Sewer/Wastewater
Sanitary sewer (wastewater) services are provided through the City of University Place’s franchise agreement with Pierce County Public Works and Utilities. POLICY CF6D states that the City will work through this franchise agreement to ensure that sewers are available within 300 feet of all properties within the next 20 years, enabling individual property owners to extend to a sewer line to their properties for a reasonable cost.

With redevelopment and new development projects as part of implementing this subarea plan, it is anticipated that projects will connect, upgrade, and improve sanitary sewer facilities as may be needed to serve their individual needs. At the same time, the City will work with Pierce County to continue to monitor the overall, concurrent service demands of the community and update long range planning as needed in the future to serve long term growth.

Surface Water Management
Located in the Chambers-Clover Watershed Resource Inventory Area (WRIA 12), University Place is located within two of the area’s watersheds—Chambers Bay and Tacoma West. Within each of these two watersheds, there are several sub-watersheds.
The City has adopted the King County Surface Water Design Manual (KCSWDM) as its standard for development and level of service. Future new development and redevelopment in the subarea will be required to comply with the manual’s requirements and standards.

Given the potential demand for surface water storage capacity related to requirements to release flows to levels that would be consistent with pre-existing forested conditions, provision of either infiltration or detention facilities will be ongoing requirements for development and redevelopment, along with low impact development treatments as part of redevelopment and development projects (such as pervious pavements, rain gardens and biofiltration planters, green roofs, and other techniques). Considering the potential for a regional stormwater facilities plan, that covers collective storage demand for portions of the subarea would be advisable with ongoing surface water management planning. Regional detention facilities could serve the needs of multiple projects. If developed through grants or capital funding, these investments can help to catalyze new development and redevelopment in the subarea. Water quality needs could continue to be met by individual projects, while water quantity needs are served by the regional facilities.

**Power/Energy**

Electricity is provided to the subarea by Tacoma Power, a division of Tacoma Public Utilities. The Comprehensive Plan states that Tacoma Power does not currently anticipate the need for development of new substations or major line replacements within University Place. The addition of a large commercial or industrial load in the area may require development of additional new facilities.

Natural gas is provided to the subarea by Puget Sound Energy (PSE). PSE plans for and extends services to new customers on an ongoing basis.

Individual development/redevelopment projects will extend electricity and natural gas services as needed to serve the demand of new customers, who then will pay for these services.

The City should continue to coordinate with Tacoma Power and PSE to review the potential build-out demand of this subarea plan, anticipated growth rates over time, and to determine the need for potential future service and facility improvements.

**Communications**

Customer-based communications, television, and cable services are offered by a number of providers, including CenturyLink (phone), seven cellular phone companies, Click!, a division of Tacoma Public Utilities (television), and Comcast (cable/internet). These service providers continually coordinate with the City to anticipate geographic demand and then extend the services to paying customers. With the adoption of the
subarea plan, the City will continue to coordinate with these providers, to notify them of planned zoning and potential build-out growth as a result of plan adoption.

**Solid Waste**
Planning for solid waste service is addressed in the City’s Comprehensive Plan, as well as the Pierce County Solid Waste Plan. Two private service providers – University Place Refuse and LeMay Enterprises (dba Lakewood Refuse) collect waste in the community, which is transported to and handled by the Pierce County disposal system. Both companies have franchise agreements with the City that run through 2025. The City will continue to coordinate with these service providers and update franchise agreements in the future. The City will share the adopted plan for the regional growth center with the service providers for their reference for future service planning.

**Schools—K-12 and College Level**
Primary and secondary public school services (kindergarten through twelfth grade) are provided within the subarea by the University Place School District. Existing inventory and capacity of school facilities is described in the Comprehensive Plan (pages 7-23 through 7-26). Projections for the student population and demand for new facilities based on existing capacity will need to be calculated and analyzed as a result of adoption of the subarea plan. The pace of growth is anticipated to be similar to that addressed in the current Comprehensive Plan and the School Districts long range planning; however, built-out growth may add more long term student population than currently anticipated, so this will need to be adequately planned for over time.

**Parks, Trails, and Open Space**
An abundance of parks and open space areas are an important part of University Place’s distinctive character and high quality of life. The availability of parks and open space help meet the recreational, social, and cultural needs of the community while also encouraging physical activity and promoting social and mental wellness.

The Comprehensive Plan includes goals and policies that encourage the ongoing provision of facilities such as parks, open space, pedestrian and bicycle improvements, and trails to accommodate active living in the community and encourage health and well-being. Policy LU10A states, “Reserve portions of the City’s limited remaining undeveloped land for public use including parks, play areas, and bike and walking trails. Encourage developers to set aside land for recreational use through incentives and other mechanisms. As the population grows, provide additional space in both residential and business neighborhoods for visual relief, outdoor recreation, and the enjoyment of natural features.”

With the anticipated growth rate over the next twenty years and beyond, it will be important for parks, open space, and trails to be an integral part of redevelopment projects. The City's 2015 Parks, Recreation, and Open Space (PROS) Plan addresses the anticipated needs for the coming years, but with adoption of the
subarea plan, it will be important for the City to revisit parks and open space needs with the next PROS Plan update. With new development and redevelopment, it is anticipated that new parks and public amenity spaces will be created for the community to serve the growing population. In addition to these facilities, it will be important for the City to consider potential public investment in park space to serve the regional growth center over time. Neighborhood parks will be in especially high demand for use by new residents and employees.

Other Community Facilities and Human Services
As stated in the University Place Comprehensive Plan, a well-functioning community depends on the availability and equitable access to a variety of community facilities and human services. In addition to the availability of safe drinking water, adequate wastewater collection, sustainable stormwater management, schools, and parks, the community also needs adequate and equitable access to police, fire and emergency, health, library, arts, cultural arts and activities, and other services that are essential for community safety, and security, as well as social and cultural vibrancy. Human services may also include the availability of childcare services, food assistance and access to health food, medical and dental care, counseling, and transitional shelter. The Comprehensive Plan includes goals and policies to ensure the adequate provision of these services as the community grows over time.

The Town Center district of the subarea houses many of these important services, including the University Place Library, located in the Civic Building on Market Square, and City Hall, located at Windmill Village.

The City will continue to coordinate with these service providers and share the adopted plan for the regional growth center so that all agencies and organizations can reference potential growth projections and the types of new development and redevelopment anticipated in order to be able to adequately plan to serve future demands and needs.

Plan Implementation through Private Investment, Revenues, and Capital Project Funding Sources
The University Place Regional Growth Subarea Plan will be implemented over decades through a variety of resources—private investment in development and redevelopment, revenues generated by new customers and property taxes to support public and utility services and facilities, and capital project funding that may be supported by not only City-allocated budgeting for capital projects, but also by grants available at the state and federal level for transportation and utility improvements (including stormwater facilities), economic development, parks and recreation, and other types of community improvements and services.

As the City of University Place and other agencies that provide utility service and public services update their system plans in the coming year, they will reference this subarea plan to determine capital improvement priorities and service upgrade needs. Since growth and development/redevelopment is expected to occur
gradually over time, the City and other agencies/service providers will be able to monitor the pace of change in demands for service and reflect this in planning and budgeting for the future.

Revenue from property taxes will continue to be an ongoing source of support for public services in the City. As more residents and business owners occupy homes and spaces in the subarea, these revenues will increase over time. Figure 45 illustrates where City of University Place property owners’ property tax revenues are typically allocated (2017). As discussed above, in addition to these revenue sources, it is anticipated that other funding sources (such as capital budgeting, grants, and other sources such as potentially voter-approved bond issues) may be needed over time to serve incremental increases in population in the regional growth center.

Figure 53—2017 Revenue Allocations from Property Taxes Paid by City of University Place Property Owners
Strategic Action Plan to Support Implementation

Implementing the vision for the University Place Regional Growth Center will require strategic actions that build on the guiding principles and applicable Comprehensive Plan policies. Ongoing planning in compliance with the Washington State Growth Management Act (GMA) will be an important part of serving the growth as it occurs in the subarea over the decades. With this ongoing planning, there will be opportunities to review and evaluate level of service (LOS) standards, update transportation improvement and capital facilities plans, and work with other agencies to update their plans for service to the area. Background information related to facilities and services, and recommended actions, areas for investment, and opportunities for catalyzing redevelopment. Recommended strategic actions to support plan implementation are summarized in Figure 54.

Figure 54—Strategic Action Plan Summary Table

<table>
<thead>
<tr>
<th>ACTIONS FOR IMPLEMENTATION WITHIN THE NEXT YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amend the University Place Comprehensive Plan Map</strong></td>
</tr>
<tr>
<td>• Revise the Comprehensive Plan to support the proposed zoning for the Subarea Plan; new land use categories may be needed to support the proposed zoning classifications and clearly delineate the three subarea plan districts, and the land use map will need to be updated to align with the proposed zoning categories of MUR-35, MUR-45, MUR-75, and EMU-75.</td>
</tr>
<tr>
<td>• The Zoning title of the Municipal Code will need to be updated to include the new zoning categories and removal of existing zoning categories that are no longer necessary. Along with these updates, the City will integrate new zoning provisions and design standards to further encourage and support the desired framework of redevelopment in the subarea.</td>
</tr>
</tbody>
</table>

| **Revise the Zoning Code** |
| • Update the Zoning Code to include the new classifications, collapsing multiple existing classifications into the four proposed for the subarea; update provisions of the code to support the desired form of redevelopment/development under the new classifications. The use tables in the Zoning Code will need to be updated and realigned with the new zoning classifications. It should be noted that this work will involve some restructuring of the existing code and a considerable level of effort by City staff and the Planning Commission. |
| • Other provisions of the zoning code may need to be updated, such as parking and front setback requirements to support the desired urban form. Examples of other provisions to be updated include the following. |
| o Reduce parking requirements with transit-oriented development located on transit served corridors. |
| o Integrate requirements for transition elements (building height step downs, side setbacks) to... |
mitigate building height and bulk adjacent to residential neighborhoods.

- Emphasize pedestrian, bicycle, and transit-oriented development and encourage connectivity, as well as safe and attractive pedestrian connections to adjacent neighborhoods, block pass through areas, public spaces/plazas, and active street frontages.
- Integrate incentives (such as height and bonus density) for projects that include additional public amenities and other desired features.
- Encourage attractive streetscapes with trees and landscaping (low maintenance, drought tolerant/low water use).
- Any other pertinent provisions that can be realistically updated within the timeframe.

**ACTIONS FOR IMPLEMENTATION WITHIN THE NEXT ONE TO THREE YEARS**

### Specific Master Plans and Design Guidelines for Each of the Subarea Districts

- Create a specific redevelopment master plan and design guidelines for the 27th Street Business District working with property owners and potential developers of the area.

- Create a specific redevelopment master plan and design guidelines for the Northeast Mixed Use District.

- The core area of the Town Center district is already recently redeveloped or is under construction; however, a master plan for remaining areas of the Town Center should be prepared, along with design guidelines to support the desired urban form and character for the district.

- The master plans and accompanying design guidelines for each district should address the following.
  - Anticipated new street grids/frameworks and potential building form within the grids/framework
  - Desired street cross sections and conceptual plans for public and private roadways for the new mixed use districts to achieve planning principles
  - Possible locations and strategies for creating neighborhood parks, pocket parks, and public spaces as part of master planning for each district
  - Streetscape and public space design guidelines; street tree and landscape guidelines
  - Desired mixed use architectural character
  - Parking layout preferences
  - Pedestrian-friendly active street frontages
  - Strengthening connections to/from schools, parks, and other community destinations; strategies for creating safe and attractive connections to/from surrounding residential neighborhoods; concept sketches for large block connectivity plans (such as for Narrows Plaza and other areas)
  - Potential opportunities for bike share stations and implementing a program to promote bicycling to and from key locations, particularly in the Town Center
Shared parking opportunities with mixed use development, which can reduce individual on-site parking quantity requirements

- Electric vehicle charging stations

- Flexibility for ground floor uses that emphasize activity at the street level and that don’t always have to be retail use (exercise/yoga studios, art galleries, professional offices, etc.)

- Desired architectural character, showing examples of preferred styles, materials, colors, and design techniques

- Height and bonus density provisions and examples of how these can be achieved

- Incentives for low impact development and green building elements such as green roofs, rooftop gardens, energy and water use conservation, and other sustainable design features; the integration of these features in new development brings a market advantage due to the high desirability of homes and businesses in the region with green building elements

- A regional/subregional plan for stormwater management, which could include regional detention facilities in the district as an incentive to reduce on-site development of facilities thereby maximizing space for redevelopment; a system of latecomers’ fees and grant funding could help offset the costs of capital development of regional detention facilities; note that the master plan should identify potential locations for these facilities based on soil conditions, property ownership and configuration, topography and drainage patterns and other features

- Strategies for creating and reinforcing a unique identity and brand image for each district

- Opportunities to create gateways and wayfinding within each district to build identity and character

- Market potential and differentiators for each of the districts, and include strategies for marketing and promoting the districts for redevelopment

- Integration of public art

- Lighting, safety, and security standards

- Strategies for phasing of redevelopment and supporting redevelopment with public funded infrastructure improvements

- Specific ideas and locations of catalyst projects including public/private partnership opportunities in each district, in addition to those already implemented in the Town Center

- Financing and funding options

Once each master plan and set of guidelines is completed, another round of updates to the Zoning Code likely will be needed to integrate more specific new zoning provisions and design standards for each district developed through the master planning process.

**Planned Action Ordinances**

- Consider adopting Planned Action Ordinances, supported by State Environmental Policy Act (SEPA)
compliant environmental analysis, for each district to help streamline the SEPA process and expedite redevelopment activity. Infill Development Ordinances could be considered for smaller scale site areas poised for redevelopment.

**School District, Parks, Transportation, Transit, and Utility Systems Plans and Capital Improvements Planning**

- Ongoing systems and facilities planning work under the responsibility of the City and other agencies and entities will need to be updated as well to support ongoing long-term implementation of the Subarea Plan, including but not limited to:
  - School District Master Plan/Facilities Planning (University Place School District)
  - Parks, Recreation, and Open Space (PROS Plan, City of University Place)
  - Stormwater Master Plan (City of University Place)
  - Water Service Planning (Tacoma Water, a Division of Tacoma Public Utilities)
  - Sewer/Wastewater Master Plan (Pierce County Public Works and Utilities under a franchise agreement with the City of University Place)
  - Transportation Master Plan (City of University Place); focus on improving active transportation in the subarea and connectivity to transit
  - Transit Service Plan (Pierce Transit; Sound Transit)
  - Solid Waste Planning (Pierce County Solid Waste Plan, City of University Place Comprehensive Planning; service providers: University Place Refuse and LeMay Enterprises dba Lakewood Refuse)
  - Power/Electricity/Energy (Tacoma Power, a Division of Tacoma Public Utilities for electricity and Puget Sound Energy for natural gas)
  - Communications (CenturyLink, Click!, Comcast, others)

- Review Code provisions to ensure transportation levels of service are met with updated planning.

- Based on the outcomes of the above planning, the City’s Capital Improvement Plan and Transportation Improvement Plan will need to be updated to support implementation of the Subarea Plan. Prioritize needed capital improvements to support redevelopment in the three districts in sync with master planned phasing.

**ONGOING ACTIONS**

- Continue to coordinate with property owners to advise them about development/redevelopment potential and process.

- Continue to coordinate with developers, and to recruit and foster a diversity of businesses and employment uses to the districts, in keeping with the desired character and identity of each.

- Apply the Zoning Code and design guidelines to development/redevelopment projects as proposed in the subarea.
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<td>•</td>
<td>Continue to activate and enhance the Town Center with public events and activities year-round.</td>
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<td>•</td>
<td>Support business owners and residents in creating special events and activities in the 27th Street Business District and Northeast Mixed Use District to reinforce the emerging land uses and culture of each area.</td>
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<td>Continue to support redevelopment with capital budget and grant funded public works improvements (streets, pedestrian and bicycle facilities, intersections, utilities, stormwater/low impact development, parks, etc.);</td>
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<td>As part of capital improvement planning, pursue grant funding through the Department of Ecology for regional stormwater facilities and allocate funding as appropriate through capital budgeting; implementation of regional stormwater facilities will need to be supported by detailed feasibility analysis with geotechnical evaluation of the areas targeted for potential facilities followed by detailed design and modeling.</td>
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<td>•</td>
<td>As part of capital improvement planning, consider public investment needs in park space to support growth over time in the subarea and consistent with the master planning for each district; integrate this into the next update of the PROS Plan.</td>
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Determination of Nonsignificance, Incorporation by Reference of Environmental Documents, and Adoption of Existing Environmental Documents

Description of Proposal: The City of University Place is proposing the Regional Growth Center Subarea Plan to provide a vision and framework for managing growth and promoting economic development consistent with the University Place Comprehensive Plan and Puget Sound Regional Council regional growth center planning requirements and guidelines.

Proponent: City of University Place

Location of Proposal: City of University Place Regional Growth Center

Title and description of documents (or portions) being adopted: Final Environmental Impact Statement prepared in conjunction with the adoption of the City’s Comprehensive Plan to comply with the State Growth Management Act RCW 36.70A (June 19, 1998).

Agency that prepared document being adopted: City of University Place

If the document being adopted has been challenged (WAC 197-11-630), please describe: Not Applicable

Title and description of documents being incorporated by reference: VISION 2040 and Transportation 2040, both prepared by Puget Sound Regional Council.

VISION 2040 is an integrated, long-range vision for the central Puget Sound region. It contains an environmental framework, a numeric regional growth strategy, policies to guide growth and development, and implementation actions and measures to monitor progress. Transportation 2040 is an action plan for transportation in the central Puget Sound region. The plan identifies investments to be made in transportation facilities, includes a financing plan and a strategy for reducing transportation’s contribution to climate change and its impact on important regional concerns such as air pollution and the health of Puget Sound.

The documents are available to be read at: City of University Place, Planning and Development Services Department, 3715 Bridgeport Way, Suite B1, during normal business hours.

Lead Agency: City of University Place

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an environmental checklist and other information on file with the City of University Place. This information is available to the public on request. This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the issuance date below. Comments must be submitted October 6, 2017.

The City has identified and adopted or incorporated by reference these documents as being appropriate for this proposal after independent review. The documents meet the City’s environmental review needs for the current proposal and will accompany the proposal to the decision maker.

AGENDA
There is no comment period required for this DNS.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal prior to the appeal deadline.

**Responsible Official:** David Swindale  
**Position/Title:** Planning and Development Services Director  
**Phone:** (253) 460-2519  
**E-Mail:** dswindale@cityofup.com  
**Address:** 3715 Bridgeport Way West, University Place, WA 98466

**Signature:** David Swindale  
**Date of Issuance:** September 23, 2017

Pursuant to RCW 43.21C.075 and City of University Place environmental regulations, decisions of the Responsible Official may be appealed. Appeals are filed with appropriate fees at the City of University Place City Hall, located at 3715 Bridgeport Way West. Appeals must be filed within 14 days of the September 23, 2017 issuance date (October 6, 2017).
ENVIRONMENTAL CHECKLIST

Form
Submit with Land Use Permit or other permit application form(s)

3715 Bridgeport Way West ◆ University Place, WA 98466
Phone (253) 566-5656 ◆ FAX (253) 460-2541

PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify from your proposal (and to reduce or avoid impact from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instruction for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring presentation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if the question does not apply to your proposal, write “do not know” or “does not apply.” Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, contact University Place Planning and Community Development for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental impacts. The checklist will be reviewed within thirty (30) days. Delays may occur if you are asked to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts. A letter will be sent to you if additional information is needed. Therefore, it is in your best interest to provide complete and detailed information on the checklist.

A “Sample” checklist is available at: City of University Place
3715 Bridgeport Way West
University Place, WA 98466

For further information on completing the checklist, contact: University Place Planning and Development Services Development at (253) 566-5656.
Environmental Checklist

I. BACKGROUND INFORMATION

1. Name of Proposal (if applicable): University Place Regional Growth Center Subarea Plan

2. Applicant/Proponent: City of University Place
   a) Contact: Jeff Boers, Principal Planner, Planning and Development Services
   b) Address: 3715 Bridgeport Way West
   c) City/State/Zip: University Place WA 98466 Phone: (253) 460-5410

3. Location of Project: City of University Place
   a) Address: Not applicable.
   b) Sections: 9, 10, 15 and 22 Township: 20N Range: 2E
   c) Tax Parcel Number: Not applicable.
   d) Legal Description: Not applicable.
   e) Nearest Town or City: City of University Place is bordered by the cities of Lakewood, Tacoma and Fircrest, the Town of Steilacoom, and unincorporated Pierce County.
   f) Site Plan: Submit site plan, 8 1/2 x 11 or 8 1/2 x 14 (unless otherwise specified in further application materials.) Plan must be clearly legible and contain pertinent information. Not applicable. Proposal is a non-project action.

4. Date checklist prepared: September 22, 2017

5. Agency requiring checklist: City of University Place

6. Proposed timing for completion of the proposal, including phasing if applicable:
   City Council action expected November 20, 2017.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, please explain.
   Beginning in 2018, the City will develop amendments to its zoning regulations, design standards and guidelines, and comprehensive plan to support implementation of the subarea plan.

8. List any environmental information you know about that has been prepared or will be prepared directly related to this proposal:
   Final Environmental Impact Statement for City of University Place Comprehensive Plan (June 19, 1998).

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, please explain: No pending applications or approvals would be affected. Once adopted by the City Council, the subarea plan would provide a vision and framework for managing growth and promoting economic development consistent with the University Place Comprehensive Plan and Puget Sound Regional Council regional growth center planning requirements and guidelines.

10. List any governmental approvals or permits that will be needed for your proposal:
    - City review and threshold determination under SEPA for non-project actions
    - Adoption of subarea plan by the University Place City Council
    - Also, although not formally an "approval", the proposed subarea plan will require a 60-day state agency review in accordance with RCW36.70A.106.
11. Give brief, complete description of your proposal, including the proposed uses and size of the project and site.

The proposal is a non-project action Subarea Plan (Plan) that applies to properties located within the City’s Regional Growth Center, which encompasses 481 acres.

The Plan provides an overview of the regional planning background, along with a summary of anticipated benefits of implementing the Plan. The Plan presents a vision for the overall regional growth center and three districts within the center. It provides a list of guiding principles to support the vision as growth and change occur. A summary identifies how the Plan is consistent with and supports the City’s Comprehensive Plan goals and policies. Existing and forecasted population, housing, and employment are provided for the subarea. Existing characteristics of the subarea are presented, along with a real estate market evaluation that describes market conditions, assets in University Place, and potential opportunities for future redevelopment and development. The Plan describes and illustrates proposed zoning, urban form, and character for the subarea including each of the three districts. A summary is provided for infrastructure and capital improvement needs to support the planned growth in population, housing and employment, along with a specific action plan listing actions needed to support plan implementation.

The Subarea Plan provides capacity to increase the Regional Growth Center’s population, housing, and employment over the decades ahead. At full build-out the plan provides capacity for an estimated total population of 28,064 to 43,024 residents in the subarea, living in approximately 17,540 to 27,390 housing units. An estimated 8,300 people or more could be working in the subarea when fully redeveloped. This would result in approximately 75 to 105 activity units (AU) per acre in the 481-acre subarea. The Plan notes that 100 percent build-out may not occur given that growth and redevelopment is influenced by many factors (market and economic conditions over time, property owners’ interests and intentions, physical constraints, etc.). If only 75 percent of the build-out capacity for the subarea is reached, 57 to 80 AU per acre could be accommodated, exceeding PSRC’s 45 AU/acre planning target for regional growth centers.
II. ENVIRONMENTAL IMPACTS

To be completed by Applicant:

Earth

1) General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other:
   Within the regional growth center, topography is flat to rolling.

2) What is the steepest slope on the site (approximate percent slope?)
   Isolated locations may have slopes up to 40%.

3) What general types of soils are found on the site (i.e. clay, sand, gravel, peat, muck, etc.?) If you know the classification of agricultural soils, specify them and note any prime farmland.
   Common soil types include Alderwood-Everett associations, Everett sandy gravelly loam, Spanaway gravelly loam, and Nisqually loam.

4) Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe:
   No. However, some areas of the City outside the Regional Growth Center have had a history of unstable soils, including along Chambers Creek, Leach Creek, and Puget Sound.

5) Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill:
   No filling or grading is proposed as a part of this non-project action.

6) Could erosion occur as a result of clearing, construction or use? If so, generally describe:
   No erosion would occur as a result of this non-project action. Erosion control would be addressed on a project level basis through excavation, grading, clearing and erosion control requirements under the City’s surface water management regulations in UPMC Chapter 13.25.

7) About what percent of the site will be covered with impervious surfaces after project construction (i.e., asphalt or buildings?)
   No new impervious surface is proposed as a result of this non-project action. However, development that occurs within the Regional Growth Center may increase impervious surface.

8) Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
   No new measures are proposed as a result of this non-project action.

Air

1) What types of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial wood smoke, etc.) during the construction and when project is completed?
   If any, generally describe and give approximate quantities, if known.
   No emissions would result from this non-project action.

2) Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe:
   No. Proposal is a non-project action.

3) Proposed measures to reduce or control emissions or other impacts to the air, if any:
   None. Although not directly related to this proposal, the City does coordinate with other agencies such as the Puget Sound Clean Air Agency on air quality issues, as needed.
Water

1) Surface

a) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, salt water, lakes, ponds, wetland, etc.)? If yes, please describe type(s) and provide name(s). If appropriate, state the stream or river into which it flows.

Morrison Pond and associated wetlands are located within the Regional Growth Center. The City of University Place borders Puget Sound, and various streams, creeks (including Chambers Creek and Leach Creek), ponds and wetlands exist throughout the City. Many of these water bodies eventually drain into Puget Sound.

b) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans for this work.

No work affecting surface waters is associated with this non-project action.

c) Estimate the amount of fill and dredge material that would be placed in, or removed from, surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material and/or the disposal site.

No filling or dredging is associated with this non-project action.

d) Will the proposal require surface water withdrawals or diversions? Give general description, purpose and approximate quantities, if known.

None would be required.

e) Does the proposal lie within a 100-year floodplain? If so, note floodplain location on site plan.

Portions of the Regional Growth Center lie within the 100-year floodplain, primarily in close proximity to Morrison Pond and associated wetlands. These portions are identified on maps on file with City of University Place Planning and Development Services Department. The City of University Place participates in the National Flood Insurance Program (NFIP).

f) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

There would be no discharge associated with the proposed non-project action.

2) Ground

a) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose and approximate quantities of withdrawals or discharges, if known.

No water will be withdrawn from or discharged to groundwater as a result of this non-project action.

b) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (i.e. Domestic sewage; Industrial sewage, containing the following chemicals...; Agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system (s) is/are expected to serve:

Not applicable. Proposal is a non-project action.
3) **Water Runoff (including storm water)**
   a) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities if known.) Where will this water flow? Will this water flow into other waters? If so, please describe:
   This non-project action will not generate any runoff. City surface water management standards will be applied to development proposals.

4) **Will this project generate waste materials, which, if not handled properly, could enter ground or surface waters?** If so, generally describe:
   This non-project action will not result in waste materials entering ground or surface waters.

5) **Proposed measures to reduce or control surface water, groundwater and runoff impacts, if any:**
   No specific measures are proposed since the Subarea Plan is a non-project action. However, future development must comply with LID standards previously adopted by the City.

Plants
1) **Underline types of vegetation found on the site and list specific species:**
   a) deciduous trees: alder, maple, aspen, other:
   b) evergreen trees: fir, cedar, pine, other:
   c) shrubs
   d) pasture: none identified
   e) grass
   f) crop or grain: none identified
   g) wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other:
   h) water plants: water lily, eelgrass, milfoil, other:
   i) other types of vegetation:

2) **What kind and amount of vegetation will be removed or altered?**
   No vegetation will be removed as a direct result of this non-project action.

3) **List threatened or endangered plant species known to be on or near the site:**
   There are no known endangered, threatened or sensitive plant species in the Regional Growth Center.

4) **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**
   No specific measures are proposed.

Animals
1) **Underline any birds/animals that have been observed on or near the site, or are known to be on or near the site:**
   a) Birds: hawk, owl, heron, eagle, songbirds, other:
   b) Mammals: deer, bear, elk, beaver, other:
   c) Fish: bass, salmon, trout, herring, shellfish, other:
   d) Reptiles: snakes, toads, frogs, lizards, other:
   e) Shellfish: Geoduck

2) **List any threatened or endangered animal species known to be on or near the site:**
Chinook salmon, listed as threatened under the ESA, and Coho salmon, a federal species of concern, have been known to spawn and rear in Leach and Chambers Creeks, located outside of the Regional Growth Center. Certain portions of City of University Place may be habitat for the bald eagle. The Western Gray Squirrel is also known to have habitat in the area.

3) **Is the site part of a migration route (bird, mammal or fish)? If so, please explain:**

Chinook, Coho and Chum salmon spawn or have historically been known to spawn in Leach and/or Chambers Creeks. Hatchery Chinook are in Chambers Creek. There is no documented evidence of native Chinook in Chambers Bay or Chambers Creek.

4) **Is the site on or near a known protected area?**

Not that the city is aware of at this time.

5) **Proposed measures to preserve, protect or enhance wildlife, if any:**

The city’s critical area regulations support the preservation of wildlife habitat such as wetlands and stream corridors. Where impacts to wildlife or associated habitat are not avoidable, mitigation will be required.

**Energy and Natural Resources**

1) **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project’s energy needs? Describe whether it will be used for heating, manufacturing, etc.?**

   N/A. Proposal is a non-project action.

2) **Would your project affect the potential use of solar energy by adjacent properties? If so, generally described:**

   N/A. Proposal is a non-project action.

3) **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

   None specifically proposed. Proposal is a non-project action.

**Environmental Health**

1) **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire, explosion, spill or hazardous waste, which could occur as a result of this proposal? If so, describe:**

   None associated with the proposal. The proposal is a non-project action.

2) **Describe special emergency services that might be required (for example, chemical spills or explosions.)**

   N/A. Proposal is a non-project action.

3) **Proposed measures to reduce or control environmental health hazards, if any:**

   None specifically associated with the proposal. Proposal is a non-project action.

**Noise**

1) **What types of noise exist in the area which may affect your project? For example: traffic, construction, or production equipment:**

   As a non-project action, no noise is specifically associated with the proposal.
2) **What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (i.e. traffic, construction, or production equipment). Indicate the hours that noise would be generated by the site:**
   Not applicable. Proposal is a non-project action. However, future development activities within the Regional Growth Center will generate short-term construction noise.

3) **Proposed measures to reduce or control noise impacts, if any:**
   Not applicable. Proposal is a non-project action.

**Land and Shoreline Use**

1) **What is the current use of the site and adjacent properties?**
   The Regional Growth Center has a wide ranges of land uses, including residential, commercial, industrial, public and public quasi-public, and park and recreation uses.

2) **Has the site been used for agriculture? If so, describe:**
   Historically, some properties in University Place were used for farming and other agricultural purposes; this activity has ceased.

3) **Describe any structures on the site:**
   The Regional Growth Center has a wide range of structures associates with its residential, commercial, industrial, public and public quasi-public, and park and recreation uses.

4) **Will any structures be demolished? If so, what?**
   No structures would be removed as part of this non-project proposal. However, the Subarea Plan contemplates redevelopment that could result in demolition of existing structures.

5) **What is the current zoning classification of the site?**
   The City's zoning code applies the following zoning classifications to land within the Regional Growth Center: Residential 1; Multifamily – Low; Multifamily – High; Neighborhood Commercial; Mixed Use; Mixed Use – Office; Town Center; Community Commercial; Light Industrial – Business Park; and Parks and Open Space.

6) **What is the current comprehensive plan designation of the site?**
   The City’s comprehensive plan applies the following plan designations to land within the Regional Growth Center: Low Density Residential; Moderate Density Residential; Mixed Use; Mixed Use Office; Neighborhood Commercial; Community Commercial; Town Center; Light Industrial-Business Park; and Parks and Open Space.

7) **If applicable, what is the current shoreline master program designation of the site?**
   Not applicable.

8) **Has any part of the site been classified as an “environmentally sensitive” area? If so, specify:**
   No. However, areas of the city have been identified as critical areas including landslide and erosion hazard areas, floodplains, wetlands and stream corridors. Maps depicting these areas are available for public inspection at the University Place Planning and Development Services Department.

9) **Approximately how many people would reside or work in the completed project?**
   At full build-out the Subarea Plan provides capacity for an estimated population of 28,064 to 43,024 residents, living in approximately 17,540 to 27,390 housing units. An estimated 8,300 people or more could be working in the subarea when fully redeveloped.
10) **Approximately how many people would the completed project displace?**

No people would be displaced as a result of this non-project action. The Subarea Plan would increase housing and population capacity over current conditions.

11) **Proposed measures to avoid or reduce displacement impacts, if any:**

None proposed. Proposal is a non-project action.

12) **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

The Subarea Plan is intended to provide a vision and framework for managing growth and promoting economic development consistent with the University Place Comprehensive Plan and Puget Sound Regional Council regional growth center planning requirements and guidelines.

**Housing**

1) **Approximately how many units, if any, would be eliminated? Indicate whether it would be high, middle, or low-income housing:**

No units would be displaced as a direct result of this non-project proposal. The Subarea Plan envisions and supports a substantial increase in the number and variety of housing units, with a particular focus on increasing the supply of missing middle housing.

2) **Proposed measures to reduce or control housing impacts, if any:**

None.

**Aesthetics**

1) **What is the tallest height of any proposed structure(s), not including antennas or chimneys:**

No structures are proposed as part of this non-project action. However, the suggested zoning framework outlined in the Subarea Plan would establish three mixed use zones differentiated from each other by height, with the most intensive zone, MUR-75, allowing a maximum 75-foot height.

2) **What are the principal exterior building material(s) and colors proposed for the project?**

Proposal is a non-project action. The city’s design standards and guidelines that apply to certain types of development in specified zones and locations within the city provide guidance relating to exterior finish building materials and design. The City anticipates updating these standards and guidelines subsequent to Subarea Plan adoption.

3) **What is the proposed ratio of building coverage to lot size?**

Not applicable. Proposal is a non-project action.

4) **What views in the immediate vicinity would be altered or obstructed?**

Not applicable. Proposal is a non-project action.

5) **Proposed measures to reduce or control aesthetic impacts, if any:**

No specific measures are proposed for this non-project action. The city’s design standards and guidelines that apply to certain types of development in specified zones and locations within the city guide development with respect to reducing or controlling aesthetic impacts.

**Light and Glare**

1) **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable. Proposal is a non-project action.
2) Could light or glare from the finished product be a safety hazard, interfere with views, or affect wildlife? 
   Not applicable. Proposal is a non-project action.

3) What existing off-site sources of light or glare may affect your proposal? 
   Not applicable. Proposal is a non-project action.

4) Proposed measures to reduce or control light and glare impacts, if any: 
   None. Proposal is a non-project action. However, the City’s design standards and guidelines are intended to reduce and control light and glare impacts associated with future development.

Recreation

1) What designated and informal recreational opportunities are in the immediate vicinities? 
   The city has numerous neighborhood and community parks, including Homestead Park, Cirque Park, and Adrianna Hess Wetland Park located within the Regional Growth Center, plus the Chambers Creek Properties, a regional facility owned by Pierce County that includes the Chambers Bay golf course and other recreational amenities.

2) Would the proposed project displace any existing recreational uses? If so, describe: 
   No recreational uses would be displaced as a result of this non-project action.

3) Proposed measures to reduce or control impacts on recreation opportunities to be provided by the project or applicant, if any: 
   Future residential development within the Regional Growth Center would be assessed park impact fees, which could fund enhanced park, recreation and open space facilities.

Historic and Cultural Preservation

1) Are there any places or objects listed on, proposed for, or eligible for listing in national, state, or local preservation registers on or next to the site? 
   The Curran House, located west of the Regional Growth Center, is listed on the National Register

2) Generally describe any landmarks, or evidence of historical, archaeological, scientific or cultural importance known to be on or next to the site: 
   Areas along Chambers Bay and Chambers Creek Canyon, located south of the Regional Growth Center, have been inventoried and identified as having archeological and/or cultural significance. These sites typically are identified with Native American tribes.

3) Proposed measures to reduce or control impacts, if any: 
   None. Proposal is a non-project action.

Transportation

1) Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on the site plan, if any: 
   The City’s street network is illustrated in various graphics provided throughout the Subarea Plan.

2) Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? 
   Pierce Transit provides bus service within the Regional Growth Center; transit routes are described in the Transportation section of the Subarea Plan.

3) How many parking spaces would the complete project have? How many would the project eliminate? 
   Not applicable. Proposal is not a site-specific proposal and is a non-project action.
4) **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe and indicate whether public or private?**

The Subarea Plan anticipates a substantial increase in development capacity and redevelopment activity. Overall road capacity is sufficient to accommodate and serve this increased level of development in terms of motorized vehicles. However, multimodal transportation facility improvements will be required to serve new development with respect to transit, pedestrian and bicycles modes.

5) **Will the project use (or occur in the general vicinity of) water, or air transportation? If so, generally describe:**

No. Proposal is not a site-specific proposal and is a non-project action. However, marinas, a yacht club and other boating facilities are located within shoreline areas of the city outside the Regional Growth Center. There is no airport within the city limits.

6) **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Not applicable. Proposal is a non-project action.

7) **Proposed measures to reduce or control transportation impacts, if any:**

None specifically proposed. However, as individual projects are proposed, review will be conducted in accordance with SEPA regulations pertaining to parking and transportation facilities to determine the level of impact and mitigation required. In addition, the Subarea Plan’s Implementation – Strategic Action Plan recommends the adoption of a Planned Action Ordinance, supported by SEPA, which would help streamline the SEPA process – specifically including the transportation impact analysis component.

**Public Services**

1) **Would the project result in an increased need for public services (i.e. fire protection, police protection, health care, and schools?) If so, generally describe:**

The proposed non-project action would not directly require additional public services. As development occurs consistent with Subarea Plan vision and development framework, however, there would be an incremental increase in demand for a wide range public services.

2) **Proposed measures to reduce or control direct impacts on public services, if any:**

None proposed. Proposal is a non-project action. Project-specific impacts will be addressed and mitigated, if warranted, during project review. Potential impacts may also be addressed through adoption of a Planned Action Ordinance.

**Utilities**

1) **Identify existing utilities by name:**

   a) **Electricity:** Tacoma Power
   
   b) **Natural Gas:** Puget Sound Energy
   
   c) **Water:** Tacoma Water
   
   d) **Telephone:** Century Link
      
   e) **Refuse Service:** University Place Refuse
      
   f) **Sanitary Sewer:** Pierce County
      
   g) **Septic System:** Some pockets of University Place are served by on-site sanitary system facilities.
   
   h) **Other - Cable:** Click! and Comcast
2) Describe the utilities that are proposed for the project, the utility providing the service, and the
general utility construction activities on the site or in the immediate vicinity which might be
needed:

Not applicable. The proposal is a non-project action. Service providers identified above in item 1
may analyze project needs and demands on a case-by-case basis and/or through long-term
capital facilities planning.

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead
agency is relying on them to make its decision.

Signature: _____________________________

Date Submitted: September 22, 2017

SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of
elements of the environment.

When answering these questions, be aware of the extent of the proposal, or the types of activities likely to
result from the proposal, would affect an item at a greater intensity or at a faster rate than if the proposal
were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air;
production, storage, or release of toxic or hazardous substances; or production of
noise?
The proposal would not directly increase discharges to water; emissions to air; production,
storage, or release of toxic or hazardous substances; or production of noise. Existing
Comprehensive Plan goals and policies, and development regulations, discourage future
projects from discharging untreated pollutants and emissions. All future development and
redevelopment would be subject to local, state and federal regulatory requirements,
including building code, fire code, and surface water management standards.

Proposed measures to avoid or reduce such increases are:
Existing Comprehensive Plan goals, policies and plans direct the City to promulgate
development regulations that protect, preserve and enhance the natural environment and
limit impacts from the built environment. The current zoning code regulates use and bans
heavy industrial uses that are commonly associated with toxic or hazardous discharge and
air emissions. The City’s storm water management, subdivision, critical area and shoreline
regulations are designed to avoid or reduce adverse environmental impacts.

2. How would the proposal be likely to affect plants, animals, fish or marine life?
The Comprehensive Plan includes goals and policies aimed at protecting fish and wildlife
habitat and preserving vegetation, including trees, to reduce runoff and erosion, improve air
quality and maintain the City’s character. Current development regulations implement these
goals and policies. Nonetheless, growth occurring within the Regional Growth Center has
the potential to impact plant, animal, fish and marine life.
Proposed measures to protect or conserve plants, animals, fish, or marine life are:
Critical areas, stormwater, tree preservation, and other environmental code provisions will protect stream corridors, wetlands, and other areas where fish and animals may have habitat, by limiting uses, maintaining buffers, and avoiding or mitigating potential impacts.

3. How would the proposal be likely to deplete energy or natural resources?
The Subarea Plan would not directly result in depletion of energy or natural resources, although future development allowed by policies and regulations that are consistent with the Subarea Plan’s vision and development framework will result in incremental increases in energy consumption. Extractive or resource based industries, such as mining, forestry and agriculture, are prohibited throughout the community.

Proposed measures to protect energy or conserve natural resources are:
The Subarea Plan’s vision and development framework are consistent with numerous goals and policies in the Comprehensive Plan that aim to reduce the number of single occupant vehicle trips, increase the use of transit, and achieve pedestrian supportive neighborhoods to reduce the reliance on automobiles and conserve energy. Site and architectural design standards promote compact mixed use development and the use of sustainable products in development.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.
Existing Comprehensive Plan policies and development regulations provide for the protection and conservation of environmentally sensitive areas and support the responsible use of recreational sites. The Regional Growth Center does not have any farmlands, wilderness areas or scenic rivers – and its boundaries largely exclude threatened or endangered species habitat, historic or cultural sites, wetlands and floodplains.

Proposed measures to protect such resources or to avoid or reduce impacts are:
None required.

5. How would the proposal likely affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
The Subarea Plan should have little impact on shoreline use in University Place, all of which is located well outside the Regional Growth Center boundaries. The Subarea Plan’s proposed development framework would accommodate higher density and intensity of development than what is currently allowed in much of the subarea under existing zoning. However, this increased level of development would not be incompatible with the existing Comprehensive Plan in terms of development location, land use, urban form and design quality.

Proposed measures to avoid or reduce shoreline and land use impacts are:
The Subarea Plan’s Implementation – Strategic Action Plan directs the City to revise its development regulations in 2018 to implement the Subarea Plan’s vision and development framework. Code amendments will be designed to ensure that future development is compatible or consistent with surrounding uses and the physical environment.
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The planned population and employment increases will place additional incremental demands on transportation, schools, and other public facilities and services. Multimodal transportation improvements will be needed to improve circulation and system functionality. Additional police, fire, and public works maintenance services will be required to maintain public safety. Likewise additional school and public utilities (sewer, water and power) will the needed to serve the increasing population.

Proposed measures to reduce or respond to such demand(s) are:

The Subarea Plan’s Implementation – Strategic Action Plan identifies that the City and other service providers (school districts, transportation/transit, and utilities) should periodically update their master plans to support ongoing long-term implementation of the Subarea Plan.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The proposed amendments do not conflict with local, state or federal laws. They are consistent with GMA goals, VISION 2040, PSRC’s regional growth center planning requirements, and the Pierce County Countywide Planning Policies.
DATE: October 12, 2017
TO: City Council
FROM: David Swindale, Director, Planning and Development Services
SUBJECT: Regional Growth Centers Draft Framework Proposal

In July 2015, the Puget Sound Regional Council Growth Management Policy Board directed the Puget Sound Regional Council (PSRC) staff to conduct a review of Regional Growth Centers and update the framework accordingly. To facilitate the update, PSRC convened a Stakeholder Working Group made up of area planners and interested parties. The group held a series of meetings throughout 2016 but were unable to reach a consensus on criteria to designate new centers or requirements of new and existing centers to obtain and/or maintain center designation.

In an effort to move forward, PSRC produced a Stakeholder Working Group Report in February 2017 which included options for designation criteria and requirements for new and existing centers presented to the stakeholder group for consideration. The report included criteria for designation of Tier 1 and Tier 2 Regional Growth Centers, two types of Manufacturing and Industrial Centers, criteria and requirements to designate Countywide Centers and a recommendation not to include major military installations for designation as centers.

The report generated a lot of controversy, especially in the areas of geographic equity having to do with the number and distribution of centers, timing of the framework update, the funding implications of tiering centers, the criteria for designation of Manufacturing and Industrial Centers and the designation of major military installations as centers.

After taking comments from PSRC member jurisdictions and others, the Puget Sound Regional Council Growth Management Policy Board (GMPB) released the attached Draft Centers Framework Proposal on October 10, 2017. The Proposal’s deadline for comment is November 8, 2017.

City Staff recommends the City Council provide comments in the form of a City Council Resolution addressing the following:

1. Thanking the GMPB for proposing no change in the number of activity units needed for new center designation, or the number of activity units centers are required to plan for in their subarea plans.
2. Indicating the UP RGC is an ideal size (481 acres) for designated centers, based on the criteria (min 200 acers to max 640 acres).
3. Questioning the need for meeting the transit service requirement of < 15 minute intervals and 16 hour service. Fixed route bus service should be enough. The frequency is not in our control. Frequency depends on demand and use.

4. Question the subjectivity of determining whether a center serves a regional role. The criteria above are qualitative and easy to measure, “regional role” is subjective.

5. The proposal calls for PSRC to update the process for new centers, including limiting the number and location of centers, bringing up an unanswered question of geographic equity to be determined in the future.

6. Likewise, the PSRC is to come up with new activity unit thresholds and incorporate social equity requirements to be included in subarea plans. These new thresholds and requirements are unknown.

7. Existing centers are required to produce subarea plans by 2020, whereas new centers are currently required to produce them within 2 years of provisional designation and new centers going forward will have to have them done prior to designation. Because the subarea plan requirement has been in effect since 2013, existing centers are given 7 years to produce their subarea plans. This creates an inequity in requirements between existing, provisional and new centers.

8. Subarea plans will need to be updated to meet new unknown thresholds and requirements established by PSRC by 2025, potentially moving the goal posts again.

9. Jurisdictions with large planning departments have more resources to dedicate to address the ever-changing requirements to maintain regional growth centers, smaller jurisdictions are at a disadvantage.
FOR IMMEDIATE RELEASE: October 10, 2017  
Contact: Liz Underwood-Bultmann at 206-464-6174 or lunderwood-bultmann@psrc.org

PSRC seeking public comment on draft centers proposal

SEATTLE - The Puget Sound Regional Council's Growth Management Policy Board is seeking public input on a draft centers framework proposal. The public comment period will run from Tuesday, October 10, 2017 through Wednesday, November 8, 2017 at 5 pm.

Regional and local centers are the cornerstone of the region's long-term plan for growth in VISION 2040. The centers framework aims to define the types of central places within the region—both larger and smaller—that are the focus of growth, planning, and investment.

The draft centers framework proposal describes potential updates to plans, policies, and procedures to support different scales of mixed use and industrial centers in the region. The draft proposal includes minimum criteria and expectations for regionally-designated mixed use and industrial centers, recommends a role of military installations in the regional plan, and provides guidance for designation of countywide centers in King, Pierce, Snohomish and Kitsap counties.

In addition to general comments on the draft proposal, the Growth Management Policy Board is particularly interested in feedback on several topics to inform its recommendation:

- Performance expectations for centers that are already designated, but may not meet the minimum criteria
- Proposed timeline for jurisdictions to complete center subarea plans
- Minimum standards for countywide centers
- The desired mix of uses in regional and countywide centers

The Growth Management Policy Board will review comments on the draft proposal prior to making a recommendation to PSRC's Executive Board.

The draft centers framework proposal is available for review on the project webpage, along with other project resources.

How to Comment:

http://campaign.r20.constantcontact.com/render?m=1101581514240&ca=6ece1ae-5474-... 10/11/2017
E-mail: CentersComment@psrc.org
U.S. Mail: ATTN: Centers Framework Comment, PSRC, 1011 Western Avenue, Suite 500, Seattle, WA 98104-1035
In Person: Growth Management Policy Board meeting, 10:00 a.m. on November 2 at PSRC, 1011 Western Ave, Suite 500, in Seattle.
Fax: ATTN: Centers Framework Comment, 206-587-4825

VISION 2040 is the region's growth management, economic, and transportation strategy, designed to meet the needs of the 5 million people expected to be living in the region in 2040. It is an integrated, long-range vision for the future that lays out a strategy for maintaining a healthy region - promoting the well-being of people and communities, economic vitality, and a healthy environment.

PSRC develops policies and coordinates decisions about regional growth, transportation and economic development planning within King, Pierce, Snohomish and Kitsap counties. The Council is composed of over 80 entities, including all four counties, cities and towns, ports, state and local transportation agencies and tribal governments within the region.

Title VI Notice: PSRC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, call 206-587-4819.

中文 Chinese, 한국 Korean, Русский Russian, Español Spanish, Tagalog, Tiếng việt Vietnamese, Call 206-587-4819

###
Regional Centers Framework – Implementation Overview

How will the update to the Centers Framework be implemented?
The centers framework update will be implemented through multiple paths, including PSRC plans, policies, procedures and other steps. Key steps for implementation will include:
  - Updates to VISION 2040
  - Updates to the regional centers designation procedures and PSRC’s plan review manual
  - Updates to countywide planning policy and centers designation procedures

These and other updates are identified below. At the conclusion of the centers framework update, staff will seek Executive Board direction to move ahead with these implementation steps.

VISION 2040: What elements of the framework would be implemented through the VISION 2040 update?
Changes to regional policy or changes to the status of regional centers would be implemented through an update of VISION 2040. VISION 2040 is adopted by the General Assembly.

For example, implementation steps from the centers framework may include:
  - Recognition of regional military installations
  - Changes to the designation of regional centers and new center areas
  - Regional growth expectations for cities and counties with regional centers

Centers Designation Procedures: What elements of the framework would be implemented through the Designation Procedures?
The Designation Procedures contain detailed requirements for designation of centers. The procedures are adopted by the Executive Board.

For example, implementation steps from the centers framework may include:
  - Detailed eligibility and designation criteria for regional centers
  - Application window for designation of new centers
  - Administrative procedures for existing centers

Plan Review Manual: What elements of the framework would be implemented through the Plan Review Manual?
The Plan Review Manual contains guidance and requirements for comprehensive plan certification, including center subarea plans. The manual is revised based on adopted policy and is updated with input from the Regional Staff Committee.

For example, implementation steps from the centers framework may include:
  - Updated planning expectations in the Regional Center Plans Checklist for subarea plans to be included in local comprehensive plans
  - Guidance on recommended issues to be addressed through center plans
What elements of the framework would be implemented through the regional funding policy?
The regional funding policy currently includes prioritization for centers and the corridors that serve them. While the regional funding policy is established by the Executive Board through a separate process, the relationship of centers designation to funding has been identified as a key consideration and the outcome of the centers framework could provide input to the next regional funding policy review process.

For example, implementation steps from the centers framework may include:
- Designation of additional centers that would be eligible for regional funding

What elements of the framework would be implemented through the countywide planning policies?
The countywide planning policies include criteria and processes for countywide center designation and criteria for the countywide review stage of regional center designation, although these have varied considerably from county to county. The countywide planning policies are adopted though countywide planning groups and generally include a local ratification process. PSRC certifies changes to the countywide planning policies for consistency with regional policy.

For example, implementation steps from the centers framework in countywide planning policies may include:
- Countywide center criteria and process
- Updated criteria for regional center nomination
- Designation of countywide centers

What elements of the framework would be implemented through other means?
The Stakeholder Working Group report and the equity proposal include research, guidance, and analysis that may be implemented through the PSRC work plan.

For example, implementation steps from the centers framework may include:
- Research opportunities for funding for centers planning and technical assistance
- Review and monitor distribution of centers
- Research and analysis on equity impact review tools, displacement, and community engagement strategies
Regional and local centers are the cornerstone of the region’s long-term plan for growth in VISION 2040. The Puget Sound Regional Council (PSRC) has identified regional-scale mixed use and industrial centers that are the focus of growth, planning, and investment. These centers include metropolitan downtowns like Seattle, Tacoma and Bremerton; growing areas supported by regional transit investments like Lynnwood and Redmond; and major industrial areas, such as Paine Field and the Port of Tacoma.

Working with its members, PSRC has initiated the first comprehensive review of the system since most centers were designated in 1995. The Puget Sound Regional Council’s Growth Management Policy Board is seeking public input on a draft centers framework proposal.

The project had several goals:

- **Identify shared expectations.** The standards for centers have varied by county and over time – this project provides an opportunity to review the expectations for new centers and existing centers. Establishing common designation criteria and procedures would improve overall consistency and coordination for centers planning.

- **Define the role of places.** The current centers framework only formally identifies regional centers. This project has allowed the region to consider the role of other types of places, such as countywide centers, transit stations, and military installations.

- **Implement regional policy and recommendations.** The project implements VISION 2040 policies, along with recommendations from Growing Transit Communities Strategy and the Regional Industrial Lands Analysis.

### Features from the Draft Centers Framework Proposal

- Encourage larger centers to plan for greater growth by establishing different types of regional growth centers
- Create a new path to designate manufacturing/industrial centers to preserve industrial lands for the future
- Retain existing centers, but provide additional options to achieve the new minimum standards
- Recommend recognizing the role of major military installations in the VISION 2040 update
- Create minimum standards to designate countywide centers in each county
- Add new planning expectations to advance social equity
- Better reflect existing policy and goals, including a focus on transit service, regional role, market potential, and core industrial zoning.
What Would These Changes Mean?

Implementation over time. The centers framework proposal provides direction on how the plans, policies, and procedures should be updated to reflect our vision for regional centers. Upcoming updates to PSRC plans, policies, and procedures will implement the revised framework.

New regional centers. The draft proposal changes the regional criteria, which may allow some new regional centers to be designated. In particular, the criteria propose a lower employment threshold for manufacturing/industrial centers, which may lead to designation of new manufacturing/industrial centers.

New types of growth centers. By establishing different types of regional growth centers, larger centers would be encouraged to plan for greater levels of growth, and VISION 2040 could better address the different characteristics and growth trajectories of centers.

New countywide centers. The draft proposal establishes basic standards for countywide centers, which would create a more consistent system of places planning for growth and prioritized for countywide transportation funds. This may lead to designation of new countywide centers.

Military installations. The draft proposal recommends identifying major military installations in the update to VISION 2040 to recognize the influence these installations have on regional growth patterns, the economy, and transportation system. This may provide new opportunities for collaboration. Smaller military installations may be designated as a type of countywide center to recognize their role.

A more consistent system. The draft proposal does not recommend removing regional designation for any existing regional centers in the VISION 2040 update. The proposal does establish a time period and expectations for existing regional centers to meet the revised criteria.

Track progress over time. The draft proposal focuses on evaluating progress for individual centers over time.

Many existing policies won’t change. The framework incorporates procedural changes, but the basic structure of designating new centers doesn’t change. Local governments will be responsible for seeking designation, with the concurrence of the countywide organization in each county. PSRC’s Executive Board will continue to be responsible for designating new regional centers.

The draft proposal does not recommend higher or lower funding priority for different types of regional centers and encourages local governments to designate other types of local centers.

Key Review Questions

In addition to general review of the draft proposal, the Growth Management Policy Board is continuing to discuss several issues related to the centers framework and welcome feedback on several issues:

- Subarea Planning. The draft proposal includes a timeline for all existing regional centers to have some type of adopted subarea plan by 2020. Center plans would need to be consistent with the updated planning expectations by the next Growth Management Act periodic update.
(prior to PSRC monitoring check-in in 2025). Is the planning timeline reasonable and appropriate?

- **Redesignation Standards.** For existing regional centers that may not meet the draft minimum standards, the draft proposal requires the jurisdiction to demonstrate reasonable progress on planning and development of their center. These include:
  - Adopted subarea plan consistent with center criteria,
  - Completed market study,
  - Availability of transit service (not required for manufacturing/industrial centers), and
  - Recent capital investments by the local government in the center and commitment to appropriate infrastructure in the jurisdiction’s capital improvement program to support planned growth

Are the criteria appropriate? Too subjective? If so, how could it be more objective? Not robust enough? Do you have any additional suggestions?

- **Countywide Density Criteria.** The draft proposal includes minimum criteria for countywide organizations to designate countywide centers. Among other criteria, countywide growth centers would need to have a minimum of 10 activity units per acre. Activity units are the combined population and employment for a given area. Is the minimum density standard for countywide centers too low, too high, just right, or necessary to include?

  The countywide industrial centers currently don’t provide minimum expectations for a minimum number of jobs or acres of industrial land. Should there be a minimum number of jobs and acres? If so, what should be the minimum acre and employment thresholds for countywide industrial centers?

- **Mix of Uses in Regional and Countywide Growth Centers.** The current policy calls for centers to plan for a mix of uses, but doesn’t set a specific minimum. Should the centers framework establish a minimum mix of planned uses for growth centers?

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**How to Comment**

The draft centers framework proposal is available for review on the project webpage, along with other project resources. The public comment period will run from Tuesday, October 10, 2017 through Wednesday, November 8, 2017 at 5 pm.

**E-mail:** CentersComment@psrc.org

**U.S. Mail:** ATTN: Centers Framework Comment, PSRC, 1011 Western Avenue, Suite 500, Seattle, WA 98104-1035

**In Person:** Growth Management Policy Board meeting, 10:00 a.m. on November 2 at PSRC, 1011 Western Ave, Suite 500, in Seattle.

**Fax:** ATTN: Centers Framework Comment, 206-587-4825

The Growth Management Policy Board will review comments on the draft proposal prior to making a recommendation to PSRC’s Executive Board.
### Overview of Draft Centers Framework Proposal

<table>
<thead>
<tr>
<th>Category</th>
<th>Current Standards</th>
<th>Draft Proposal (October 2017 version)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regional Growth Centers</strong></td>
<td>One type of regional center</td>
<td>Two types of regional growth centers - metro growth center and urban growth center</td>
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<tr>
<td></td>
<td>Primary focus on existing and planned density, commitment when reviewing new centers</td>
<td>Include additional criteria: • Transit • Market potential • Regional role • Distribution &amp; number of centers</td>
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<tr>
<td><strong>Manufacturing/Industrial Centers</strong></td>
<td>One pathway</td>
<td>Two pathways to designate either large industrial areas or major employment centers</td>
</tr>
<tr>
<td></td>
<td>Primary focus on existing and planned jobs, commitment when reviewing new centers</td>
<td>Include additional criteria: • Core industrial zoning • Job type • Preservation strategies</td>
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<tr>
<td><strong>Military Installations</strong></td>
<td>Major installations like Joint Base Lewis McChord and the Bremerton Shipyard are not fully addressed in VISION 2040</td>
<td>Recommend to recognize major installations in the VISION 2040 update</td>
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<td></td>
<td>All installations are eligible to be countywide centers</td>
<td>Guidance on countywide designation for smaller installations</td>
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<tr>
<td><strong>Redesignation</strong></td>
<td>Some centers do not meet current standards</td>
<td>Common expectations 2025 performance check-in, with options to demonstrate commitment through planning actions</td>
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<td></td>
<td>Different expectations based on when designated</td>
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<tr>
<td><strong>Social Equity</strong></td>
<td>Subarea planning required</td>
<td>Additional housing planning prior to designation</td>
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<tr>
<td></td>
<td>o Provisions for affordable housing and special housing needs</td>
<td>Update center plan checklist to address topics like displacement, access to opportunity, and environmental justice</td>
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<td></td>
<td>o Plan for amenities like parks and civic places</td>
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<tr>
<td>Social Equity (cont.)</td>
<td>Current Standards</td>
<td>Draft Proposal (October 2017 version)</td>
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<td>Encourage walkability and transit-supportive planning</td>
<td>New regional analysis and guidance on equitable community engagement + displacement</td>
<td>Develop framework to measure progress</td>
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<td>Process</td>
<td>Rolling application window</td>
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<td>Ad hoc review of thresholds</td>
<td>Revisit thresholds during updates to VISION</td>
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<td>Review based on checklist alone</td>
<td>Consider distribution, location, and number of centers in designation process</td>
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<td>Countywide Centers</td>
<td>No shared definition of countywide centers</td>
<td>Establish shared criteria for countywide centers; recognize places beyond regional centers</td>
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<td>Only regional centers have common definition and recognition</td>
<td>Criteria focus on:</td>
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<td>• Mixed use, planning for growth</td>
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<td>• Multimodal options</td>
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<td>Performance monitoring reports on ad hoc schedule</td>
<td>Five-year monitoring report</td>
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<td>Set performance measures</td>
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<td>Additional review if not meeting performance expectations</td>
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Regional Centers Framework Update – Draft Board Proposal

The Puget Sound Regional Council’s Growth Management Policy Board is seeking public input on the draft centers framework proposal. The public comment period will run from Tuesday, October 10, 2017 through Wednesday, November 8, 2017 at 5 pm.

The draft centers framework proposal that follows describes potential updates to plans, policies, and procedures to support different scales of mixed use and industrial centers in the region. The draft proposal includes minimum criteria and expectations for regionally-designated mixed use and industrial centers, recommends a role of military installations in the regional plan, and provides guidance for designation of countywide centers in King, Pierce, Snohomish and Kitsap counties.

The Growth Management Policy Board will review comments on the draft proposal prior to making a recommendation to PSRC’s Executive Board. The draft centers framework proposal is available for review on the project webpage, along with other project resources.

How to Comment:
E-mail: CentersComment@psrc.org
U.S. Mail: ATTN: Centers Framework Comment, PSRC, 1011 Western Avenue, Suite 500, Seattle, WA 98104-1035
In Person: Growth Management Policy Board meeting, 10:00 a.m. on November 2 at PSRC, 1011 Western Ave, Suite 500, in Seattle.
Fax: ATTN: Centers Framework Comment, 206-587-4825

Key Review Questions
In addition to general review of the draft proposal, Growth Management Policy Board continues to weigh policy options and is particularly interested in feedback on specific policy areas:

Subarea Planning. The draft proposal includes a timeline for all existing regional centers to have some type of adopted subarea plan by 2020. Center plans would need to be consistent with the updated planning expectations by the next Growth Management Act periodic update (prior to PSRC monitoring check-in in 2025). Is the planning timeline reasonable and appropriate?

Redesignation Standards. For existing regional centers that may not meet the draft minimum standards, the draft proposal requires the jurisdiction to demonstrate reasonable progress on planning and development of their center. These include:
- Adopted subarea plan consistent with center criteria,
- Completed market study,
- Availability of transit service (not required for manufacturing/industrial centers), and
- Recent capital investments by the local government in the center and commitment to appropriate infrastructure in the jurisdiction’s capital improvement program to support planned growth.
Are the criteria appropriate? Too subjective? If so, how could it be more objective? Not robust enough? Do you have any additional suggestions?

Countywide Density Criteria. The draft proposal includes minimum criteria for countywide organizations to designate countywide centers. Among other criteria, countywide growth centers would need to have a minimum of 10 activity units per acre. Activity units are the combined population and employment for a given area. Is the minimum density standard for countywide centers too low, too high, just right, or necessary to include?

The countywide industrial centers currently don’t provide minimum expectations for a minimum number of jobs or acres of industrial land. Should there be a minimum number of jobs and acres? If so, what should be the minimum acre and employment thresholds for countywide industrial centers?

Mix of Uses in Regional and Countywide Growth Centers. The current policy calls for centers to plan for a mix of uses, but doesn’t set a specific minimum. Should the centers framework establish a minimum mix of planned uses for growth centers?

These topics are called out in the document with a symbol.
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Purpose and Background

Purpose

Centers are the hallmark of VISION 2040 and the Regional Growth Strategy. They guide regional growth allocations, advance local planning, inform transit service planning, and represent priority areas for PSRC’s federal transportation funding.

In 2015, the Growth Management Policy Board adopted a scope of work to review the existing centers framework. The regional centers have been integral to regional planning for over 20 years, and this update represented an opportunity to reassess the system in place today and opportunities to recognize other places that are serving important roles in the region. The Regional Centers Framework outlines a revised structure and criteria for regional and countywide centers and direction to update policies and procedures to update to the regional centers framework.

This update will:

- Clearly define the types of central places—both larger and smaller—within the region that are the focus of growth, planning, and investment.
- Establish criteria and planning expectations that ensure centers are developing as thriving and connected communities with sufficient market potential to accommodate new jobs and residents.
- Provide for consistent designation of centers at the regional and countywide levels across the region.
- Address requirements for new centers and redesignation of existing regional centers.

As important focal points for investment and development, regional centers represent a crucial opportunity to support equitable access to affordable housing, services, health, quality transit service, and employment, as well as to build on the community assets currently present within centers.

In the project scope of work, the Growth Management Policy Board adopted the following guiding principles for the project:

- Support the Growth Management Act and VISION 2040.
- Focus growth consistent with the Regional Growth Strategy.
- Recognize and support different types and roles of regional and subregional centers.
- Provide common procedures across the region.
- Guide strategic use of limited regional investments.
- Inform future planning updates at regional, countywide, and local levels.

PSRC convened a joint board session in 2016 that identified several project objectives:

**Growth:** Centers attract robust population and employment growth—a significant and growing share of the region’s overall growth.

**Mobility:** Centers provide diverse mobility choices so that people who live and work in centers have alternatives to driving alone.
Environment: Centers improve environmental sustainability by diverting growth away from rural and resource lands, habitat, and other critical areas, and towards urban areas with existing infrastructure.

Social Equity and Opportunity: Centers offer high access to opportunity, including affordable housing choices and access to jobs, to a diverse population.

Economic Development: Centers help the region maintain a competitive economic edge by offering employers locations that are well connected to a regional transportation network, and are attractive and accessible to workers.

Public Health: Centers create safe, clean, livable, complete and healthy communities that promote physical, mental, and social well-being.

The Regional Centers Framework Update project included significant outreach and committee and board discussions. The process was informed by staff-level Technical Advisory Group and Stakeholder Working Group, joint board sessions, county-level workshops, and ongoing outreach to local governments. A staff-level Stakeholder Working Group met from June 2016 through January 2017 and identified recommendations and alternatives for PSRC’s boards to consider. Their final report informed deliberation by the Growth Management Policy Board in 2017.

Regional Centers Designation Procedures
The Designation Procedures for New Centers contains detailed requirements for designation and review of regional growth centers and manufacturing/industrial centers. The procedures are adopted by the Executive Board.

PSRC will update the Designation Process for New Centers to incorporate the following procedural changes:

- When designating new regional centers, the PSRC boards will also consider:
  - Distribution of centers throughout the region and whether new center locations would be advantageous for overall regional growth objectives. Centers should be distributed in rational places, consistent with the regional vision, and in areas that do not place additional development pressure on rural and resource lands.
  - The overall number of centers in the region.

- Application and review of new regional centers will be limited to major regional growth plan updates (VISION 2040 and its successor plans) and every five years, following the results of performance monitoring.

- Employment and/or activity thresholds for new regional centers will be reviewed and potentially updated when the regional growth plan is updated to account for overall growth in centers over time. Center designations should remain relatively stable over the long term, but will allow centers to change into new types when they have achieved higher levels of activity and other criteria.
Regional Growth Centers Eligibility and Criteria
Regional growth centers are locations of more compact, pedestrian-oriented development with a mix of housing, jobs, retail, services, and other destinations. The region’s plans identify centers as areas that should receive a significant share of the region’s population and employment growth compared with other parts of the urban area, while providing improved access and mobility—especially for walking, biking, and transit.

Eligibility Criteria for Regional Growth Centers
The minimum eligibility requirements for new centers ensure consistency in centers designation and ensure that new regional growth centers meet the intent of VISION 2040 while allowing for flexibility. The Designation Procedures for New Centers will be updated to identify additional supporting documentation:

- **Local commitment.** Evidence center is a local priority and sponsor city/county has sustained commitment over time to local investments in creating a walkable, livable center.
- **Planning.** Completion of a center plan (subarea plan, plan element or functional equivalent that provides detailed planning or analysis) that meets regional guidance in advance of designation. Environmental review that demonstrates center area is appropriate for dense development.
  - Assessment of housing need, including displacement risk, as well as documentation of tools, programs, or commitment to provide housing choices affordable to a full range of incomes and strategies to further fair housing
- **Jurisdiction and Location.** Regional growth centers should be located within a city, with few exceptions. LINK light rail stations in unincorporated urban areas (including those funded through the Sound Transit 3 ballot measure) may be eligible for center designation at any scale, provided they are affiliated for annexation or planned for incorporation. Other unincorporated urban areas may be eligible for countywide center status, provided they are affiliated for annexation or planned for incorporation.
- **Existing Conditions.** Existing infrastructure and utilities sufficient to support new center growth, a mix of both existing housing and employment, justification of size and shape (recommend centers to be nodal with a generally round or square shape), and pedestrian infrastructure, amenities, and a street pattern that supports walkability

Designation Criteria for Regional Growth Centers
The Regional Centers Framework Update defines two distinct types of regional growth centers with tailored minimum criteria as described in this section. The criteria are expanded to include discussion of appropriate size, minimum transit service, market potential, and regional role. The center types will be used to inform future growth planning.
# Regional Centers Framework

## Regional Growth Centers

### Urban Growth Center

These centers have an important regional role, with dense existing jobs and housing, high-quality transit service, and planning for significant growth. These centers may represent areas where major investments – such as high-capacity transit – offer new opportunities for growth.

### Metro Growth Center

These centers have a primary regional role – they have dense existing jobs and housing, high-quality transit service, and are planning for significant growth. They will continue to serve as major transit hubs for the region. These centers also provide regional services, and serve as major civic and cultural centers.

### Urban Growth Center Criteria

Center must meet each of the following criteria:
- **Existing density.** 18 activity units per acre minimum
- **Planned target density.** 45 activity units per acre minimum
- **Size.** 200 acres minimum - 640 acres maximum (may be larger if served by an internal, high capacity transit system)
- **Transit.** Existing or planned fixed route bus, regional bus, Bus Rapid Transit, or other frequent and all-day bus service. May substitute high-capacity transit mode for fixed route bus. Service quality is defined as either frequent (< 15-minute headways) and all-day (operates at least 16 hours per day on weekdays) – or - high capacity
- **Market potential.** Evidence of future market potential to support planning target
- **Role.** Evidence of regional role
  - Clear regional role for center (serves as important destination for the county)
  - Jurisdiction is planning to accommodate significant residential and employment growth under Regional Growth Strategy

### Metro Growth Center Criteria

Center must meet each of the following criteria:
- **Existing density.** 30 activity units per acre minimum
- **Planned target density.** 85 activity units per acre minimum
- **Size.** 320 acres minimum - 640 acres maximum (may be larger if served by an internal, high capacity transit system)
- **Transit.** Existing or planned light rail, commuter rail, ferry, or other high capacity transit with similar service quality as light rail. Evidence the area serves as major transit hub and has high quality/high capacity existing or planned service.
- **Market potential.** Evidence of future market potential to support planning target
- **Role.** Evidence of regional role:
  - Clear regional role for center (for example, city center of metropolitan cities, other large and fast growing centers; important regional destination)
  - Jurisdiction is planning to accommodate significant residential and employment growth under Regional Growth Strategy

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1 "Planned" transit means funded projects or projects identified in the constrained portion of Transportation 2040. The Transportation 2040 constrained project list incorporates projects in transit agency long-range plans where funding is reasonably expected during the 2040 planning horizon.
Manufacturing/Industrial Centers Eligibility and Criteria

Manufacturing/industrial centers preserve lands for family-wage jobs in basic industries and trade and provide areas where that employment may grow in the future. VISION 2040 calls for the recognition and preservation of existing centers of intensive manufacturing and industrial activity and the provision of infrastructure and services necessary to support these areas. These centers are important employment locations that serve both current and long-term regional economic objectives.

Eligibility Criteria for Regional Manufacturing/Industrial Centers

Minimum eligibility requirements ensure consistency in centers designation and ensure that new regional growth centers meet the intent of VISION 2040 while allowing for flexibility. The Designation Procedures for New Centers should be updated to identify additional supporting documentation:

- **Local commitment.** Evidence center is a local priority had city/county has sustained commitment over time to local investments in infrastructure and transportation. Demonstrated commitment to protecting and preserving industrial uses, incentives to encourage industrial uses in the center, and established partnerships with relevant parties to ensure success of manufacturing/industrial center Planning. Completion of a center plan (subarea plan, plan element or functional equivalent) that meets regional guidance in advance of designation. Environmental review that the area is appropriate for development

- **Location.** Manufacturing/industrial centers should be located within a city with few exceptions.

- **Existing Conditions.** Adequate infrastructure and utilities to support growth, access to relevant transportation infrastructure, documentation of economic impact, and justification of size and shape of manufacturing/industrial center

Designation Criteria for Regional Manufacturing/Industrial Centers

The Regional Centers Framework Update identifies two distinct pathways to designate manufacturing/industrial centers. Minimum eligibility for regional designation is described in this section. The criteria are expanded to include discussion of appropriate employment type, core industrial zoning, industrial preservation strategies, and regional role. The center pathways may be used to inform future growth planning.
## Manufacturing/Industrial Centers

These centers are highly active industrial areas with significant existing jobs, core industrial activity, evidence of long-term demand, and regional role. They have a legacy of industrial employment and represent important long-term industrial areas, such as deep-water ports and major manufacturing. The intent of this designation is to, at a minimum, preserve existing industrial jobs and land use and to continue to grow industrial employment in these centers where possible.

<table>
<thead>
<tr>
<th>Center must meet each the following criteria:</th>
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<tbody>
<tr>
<td>• Existing jobs: 10,000 minimum</td>
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<tr>
<td>• Planned jobs: 20,000 minimum</td>
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<tr>
<td>• Minimum 50% industrial employment</td>
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<td>• Access to transit or defined transportation demand management strategies in place</td>
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<tr>
<td>• Presence of irreplaceable industrial infrastructure.²</td>
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<tr>
<td>• At least 75% of land area zoned for core industrial uses ³</td>
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<tr>
<td>• Industrial retention strategies in place</td>
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<tr>
<td>• Regional role</td>
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These regional clusters of industrial lands have significant value to the region and potential for future job growth. These large areas of industrial land serve the region with international employers, industrial infrastructure, concentrations of industrial jobs, and evidence of long-term potential. The intent of this designation is to continue growth of industrial employment and preserve the region’s industrial land base for long-term growth and retention.

<table>
<thead>
<tr>
<th>Center must meet each the following criteria:</th>
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<tbody>
<tr>
<td>• Minimum size of 2,000 acres</td>
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<tr>
<td>• Existing jobs: 4,000 minimum</td>
</tr>
<tr>
<td>• Planned jobs: 10,000 minimum</td>
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<tr>
<td>• Access to transit or defined transportation demand management strategies in place</td>
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<tr>
<td>• At least 75% of land area zoned for core industrial uses</td>
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<tr>
<td>• Industrial retention strategies in place</td>
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<tr>
<td>• Regional role</td>
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</tbody>
</table>

### Regional Center Redesignation Standards

To establish a regionally-consistent system, all regional centers will be reviewed based on the revised criteria.

- The first evaluation of existing centers will occur in 2018-2020 as part of the VISION 2040 update. PSRC staff will work with cities and counties to identify the applicable center types and whether all the criteria are already met or could be met.

- A first monitoring review period, scheduled for 2025, will follow the next major comprehensive plan periodic update. At that time, jurisdictions that do not meet adopted minimum activity requirements must demonstrate progress planning for and investing in the center, including:

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² Industrial-related infrastructure that would be irreplaceable elsewhere, such as working maritime port facilities, air and rail freight facilities.

³ Zoning designations dominated by traditional industrial land uses such as manufacturing, transportation, warehousing and freight terminals. Core industrial does not include zoning that permits both industrial and commercial uses together.
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- Adopted subarea plan,
- Completed market study,
- Availability of transit service (not required for manufacturing/industrial centers), and
- Recent capital investments by the local government in the center and commitment to appropriate infrastructure in the jurisdiction’s capital improvement program to support planned growth

- The board will maintain flexibility in evaluating existing centers to consider when centers are very close to the existing conditions criteria, to account from economic recessions, progress and growth, local investments or the lack of investments, and regional importance of a particular area.
- Criteria related to physical improvements should be included in center plans, but may need to be addressed over the long-term, such as developing a complete walkable street network.
- Cities and counties will have some form of center plan (subarea plan or similar) already in place by the time of the VISION 2040 update (2020), recognizing that the adopted plan may not be fully consistent with the new criteria. At the latest, cities and counties would be required to meet the updated planning requirements for regional centers by the next major comprehensive plan periodic update in 2023/2024.

Countywide Centers
The countywide planning policies include criteria and processes for countywide centers, though the approach currently varies significantly by county. Through the Centers Framework Update, designation of countywide is delegated to a countywide process using consistent regional standards.

The checklist below represents basic standards expected for countywide centers in each county. Depending on county circumstance and priorities, countywide planning policies may include other numeric criteria (such as planning requirements or mix of uses) or additional standards within this overall framework. Countywide center designations will be reviewed by an established timeframe and process set by the countywide planning body.

<table>
<thead>
<tr>
<th>Countywide Growth Center</th>
<th>Countywide Industrial Center</th>
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<tbody>
<tr>
<td>Center must meet each the following criteria:</td>
<td>Center must meet each the following criteria:</td>
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<tr>
<td>Demonstration that the center is a local planning and investment priority:</td>
<td>Demonstration that the center is a local planning and investment priority:</td>
</tr>
<tr>
<td>o Identified as a countywide center in a local comprehensive plan; subarea plan recommended</td>
<td>o Identified as a countywide center in a local comprehensive plan; subarea plan recommended</td>
</tr>
<tr>
<td>o Clear evidence that area is a local priority for investment, such as planning efforts or infrastructure</td>
<td>o Clear evidence that area is a local priority for investment, such as planning efforts, or infrastructure</td>
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<tr>
<th>Countywide Growth Center</th>
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<td><strong>(cont.)</strong></td>
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The center is a location for compact, mixed-use development; including:
- A minimum existing activity unit density of 10 activity units per acre
- Planning and zoning for a mix of uses, including residential
- Capacity and planning for additional growth

The center supports multi-modal transportation, including:
- Transit service
- Pedestrian infrastructure and amenities
- Street pattern that supports walkability
- Bicycle infrastructure and amenities
- Compact, walkable size of one-quarter mile squared (160 acres), up to half-mile transit walkshed (500 acres)

The center supports industrial sector employment:
- Minimum existing jobs and/or acres of industrial land
- Defined transportation demand management strategies in place
- At least 75% of land area zoned for core industrial uses
- Industrial retention strategies in place
- Capacity and planning for additional growth
- Important county role and concentration of industrial land or jobs with evidence of long-term demand

Local Centers and Other Types of Centers
VISION 2040 calls for central places in all jurisdictions to support a centers-based approach to development in the region. These places range from neighborhood centers to active crossroads in communities of all sizes. These centers play an important role in the region and help define our community character, provide local gathering places, serve as community hubs, and are often appropriate places for additional growth and focal points for services.

The Regional Centers Framework recognizes the importance of these places, but does not envision a regional or county designation for all types of local centers. The designation criteria outlined in this document may provide a path to regional or county designation for locations that continue to grow and change over time.

Per program eligibility requirements, rural centers that participate in PSRC’s Rural Town Centers and Corridors funding competition are located in either a freestanding city or town that is outside the region’s contiguous urban growth area or a county’s unincorporated rural area. These centers are designated through a local planning process, not through the Regional Centers Framework process.
Military Installations
Military installations are a vital part of the region, home to thousands of personnel and jobs and a major contributor to the region’s economy. PSRC recognizes the relationship between regional growth patterns and military installations, and recognizes the importance of military employment and personnel all aspects of regional planning.

Designation Criteria for Types of Military Installations
PSRC’s Executive Board will identify Major Military Installations in the update to VISION 2040, subject to adoption of the plan by the General Assembly. Major installations are defined as installations with more than 5,000 enlisted and service personnel. As of 2017, four installations met the minimum size criteria: Joint Base Lewis-McChord in Pierce County, Naval Base Kitsap–Bangor and Naval Base Kitsap–Bremerton in Kitsap County, and Naval Station Everett in Snohomish County.

This recognition in the regional plan advances active collaboration between military installations, neighboring jurisdictions, and the region. The region recognizes military installations are major employers, associated with congestion, and that regional designation can help work to alleviate impacts.

Through this recognition, regional expectations include:

- Ongoing coordination between the military installation, countywide planning forum, and neighboring jurisdictions regarding planned growth, regional impacts, and implementation of multimodal transportation options
- Support for multimodal commute planning and mode split goals for installation
- Complete a Joint Land Use Study or similar coordinated planning effort

Smaller military installations may continue to be recognized by countywide planning forums as a type of countywide center or equivalent. The minimum size criteria for countywide center designation will be as specified by RCW 36.70a.530 and identify “federal military installation[s], other than a reserve center, that employs one hundred or more full-time personnel.” As of 2017, five installations met the minimum criteria: Naval Base Kitsap Keyport, Seattle Coast Guard Station, Naval Base Kitsap Jackson Park, Camp Murray, and Naval Base Everett – Smokey Point Support Complex.

Planning Requirements
PSRC’s Plan Review Manual contains guidance and requirements for comprehensive plan certification, including center subarea plans. The Regional Center Plans Checklist in the PSRC’s Plan Review Manual addresses planning expectations for center subarea plans. PSRC will work with the Regional Staff Committee to update the Plan Review Manual to amend requirements and provide best practices, with consideration for local variability.

The Regional Growth Center Plan Checklist will be updated to address the following topics:
- Affordable housing, including housing targets, needs assessment, affordable housing goals, and strategies to encourage new housing production with long-term affordability
- Displacement risk analysis and strategies to prevent or mitigate displacement
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- Transit access, including transit service, transit-dependent populations, and safe and connected pedestrian and bicycle networks
- Equitable community engagement
- Access to opportunity, including employment and education opportunities and neighborhood quality of life
- Environmental justice impacts
- Specific transportation planning investments, programs, and resources identified.
- Availability of public services, like K-12 education, to meet needs of households with children.

The Regional Manufacturing/Industrial Center Plan checklist will be updated to address the following topics:
- Equitable community engagement
- Access to opportunity, including employment and education opportunities
- Environmental justice impacts
- Expectations around core industrial uses, residential encroachment, and commercial and office uses that do not support manufacturing/industrial function
- Clearly articulated long-term commitment to protect and preserve manufacturing/industrial land uses and businesses in the center
- Specific transportation planning investments, programs, and resources identified

**Regional Support**

**Funding to Support Centers**
Staff will research and identify other potential funding sources or programs to support development in centers. This may include housing in regional growth centers, economic development, other capital funds, additional state resources, marketing, and other strategies. PSRC should collaborate with other agencies and funders to identify additional funding sources for designated centers. PSRC will also explore funding for centers planning and technical assistance.

**Regional Center Types**
The Regional Centers Framework does not establish a distinction between different types of regional centers for the purpose of PSRC’s funding framework.

**Performance Measures**
In the VISION 2040 update, PSRC will develop performance measures for centers as a whole to evaluate success of the overall framework. Metrics may include overall growth goals or mode split goals for centers, level of local or regional investment, or other measures as appropriate, such as housing affordability, mix of uses, and health and equity.

PSRC will continue to conduct ongoing monitoring of performance measures for individual centers. This may include progress towards growth targets and mode split goals, tracking implementation actions, or tracking other measures consistent with the designation requirements.
PSRC will publish a centers performance monitoring summary every five years in order to stay on top of regional trends in centers development.

PSRC will review centers for performance as part of the monitoring review and prior to regional plan update years, and consider possible changes or reclassification if the local jurisdiction is not taking steps to plan and support growth in center to meet targets or goals.

Implementation

Procedures and Planning Expectations. The board directs staff to prepare updates to the Designation Procedures for New Centers, Regional Center Plans Checklist, and develop administrative procedures for existing centers.

Plan Updates. The board directs staff to identify issues for VISION 2040 update:

- Identification of military installations a regional geography
- Preservation of industrial land, both within designated manufacturing/industrial centers and in other industrial areas in the region
- Growth goals for regional centers

Countywide Planning Policies. The board requests updates to the countywide planning policies in each county to implement countywide centers and achieve consistency with the regional framework.

PSRC Work Plan. The board directs staff to develop an implementation work plan and schedule to engage with PSRC membership and other stakeholders as appropriate on additional analysis, research, and guidance. The work plan should incorporate the following tasks to support ongoing work on regional and countywide centers:

- **Performance measures.** Develop framework to track performance and outcomes over time. This may include assessment of demographic characteristics, housing affordability, employment, amenities, and access to opportunity.
- **Update growth planning guidance.** Update the guidance paper on center targets to discuss changes to growth expectations for centers and the mix of employment and residential activity envisioned in regional growth centers.
- **Social equity**
  - Complete additional analysis and research on displacement and displacement risk in centers.
  - Provide additional resources and best practices addressing equitable community engagement, including opportunities for local planning staff and policy-makers to learn about tools that have been successfully used by cities and counties in the region.
  - Research and recommend a best practice approach to a comprehensive equity impact review tool to address social equity through policies and implementation decisions for centers throughout the region.
- **Tribal land & centers.** Complete additional review and consultation with tribes on the role of tribal lands in the centers framework.
- **Funding opportunities.** Research other funding opportunities and opportunities to leverage existing designations. Collaborate with other agencies and funders to identify additional funding sources to designated centers. Explore funding for centers planning and technical assistance.

- **Projects supporting centers.** Review and develop policy guidance on types of projects that support development in centers and corridors connecting centers.

- **Number and distribution of centers.** Research guidelines to manage the number and distribution of centers, factoring in projected growth, jurisdictional size, location within the county, competition for market share, and allocation of limited regional resources.